

Ocean-Peace Keeping and New Roles for Maritime Force

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Foreword

Approximately seventy-one percent of the surface of our planet is occupied by the oceans, and the land consists of mere islands set in the oceans. It should be more appropriate to call our planet “Mare Firma” than “Terra Firma.” The origin of every single creature on the earth is the oceans. Mankind has always depended on the oceans since the dawn of our civilization. The ancient civilizations in Mesopotamia and Egypt were supported by the trade through the Mediterranean Sea by the Sumers and the Phoenicians. The ancient Indian Empire and Han Empire in China also flourished through trade by the seafarers in the South China Sea and the Indian Ocean. Mankind has lived on the fish, shellfish and other gifts from the seas since early times, utilized the oceans as freeways for trade with different cultures, engaged in businesses, developed and established nations. There is apprehension that such valuable oceans might not be able to support mankind any longer in the near future.

As economic activities increase globally, and as the scientific knowledge and technologies develop, use of the seas and oceans by mankind has increasingly intensified. It has caused overcrowded sea lanes, and rapid increase of the demand for the marine resources has brought about excessive exploitation and destruction of the marine environment. Without the gifts from the oceans, the sustainable development of human society would not be assured. If we do not preserve the oceans, we would be completely deprived of their benefits in the future.

In 1995, the “Independent World Commission on the Oceans” (IWCO) was established with the objective to contrive “The Ocean... Our Future,” an action plan where assurance of the foundation for survival and insurance of the development of mankind are sought in and the oceans as the sustenance system for the lives on earth and the “consolidated management of the oceans” is to be conducted by mankind. This establishment took place one year after the enactment of the equivalent of a constitution for maritime order, the United Nations Convention on the Law of the Sea. Since then, several activities have been conducted to review the maritime problems throughout the world. In 1996, the first convention of the ten-year international maritime symposium, “The Ocean, Can She Save Us?”¹ was held in Tokyo. At the “Mediterranean and

¹ It was held by the Nippon Foundation with the support from the Ministry of Foreign Affairs, Ministry of Transport, Science and Technology Agency, etc. It is scheduled to continue for 10 years from 1996 with the objective of studying and discussing the relations between the oceans and mankind, with the recognition that we must depend heavily on the oceans in order to secure resources and energy and to assure the foundation for the survival of mankind in the 21st century.

the Black Sea Council for Sustainable Development,”² specific proposals were made concerning the resources of the oceans and protection of the marine environment, and at the “International Ocean Institute (IOI), the members are working on a review on the ocean management methods under the title of “PIM” (Pacem in Maribus). IWCO believes that it is synonymous with “security” to protect the oceans that assure the foundation of the survival of mankind and sustainable development, and has been studying the peaceful utilization of maritime forces.³

The National Institute for Defense Studies (NIDS) also has conducted studies on the roles of maritime forces that contribute to the “stabilization of the oceans” since 1996. We have collected data on the theses and researches concerning maritime security in the post-Cold War world as well as the marine resources and environmental issues, and the activities to deal with those issues conducted by international organizations. We have also researched the actual conditions of the sea lanes amidst the global development of the economy today, and formulated the OPK (Ocean - Peace Keeping) concept as the new role for the maritime forces in order to assure the stable and sustainable development of the oceans. OPK fundamentally concerns the activities which are necessary to execute the obligations stipulated in the United Nations Convention on the Laws of the Sea, and at the same time coordinated maritime activities based on the regional arrangements or agreements with the objectives of maintaining the maritime order and preventing armed conflicts at seas. In other words, OPK is coordinated activities by the regional maritime forces to assure the stable utilization of the oceans. NIDS also held international maritime symposiums, inviting researchers from nine nations in the Asia-Pacific region and the United Kingdom⁴ in 1997, and from four nations, namely Japan, the United States, China and Russia in 1998. In these two symposiums, we announced OPK as an idea for the new security activities for the entire world, and exchanged opinions on the feasibility of executing OPK.⁵

This paper shall introduce the idea of OPK, and discuss significance and the new role of maritime forces which are expected to conduct coordinated operations, taking the necessity for the execution of such operations into consideration. In other words, we shall review the history of the relations between states and oceans and study what significance sea power has and what is needed in terms of maritime security as international society has become globalized in relation

² It is a sub-committee based on the Barcelona Treaty on the environmental preservation action plan for the Mediterranean Sea in 1976. States along the coast of the Black Sea that suffer pollution as joined in 1998.

³ There are various terms, including Navy, Maritime Force, Maritime Defense Force, etc. depending on the objectives, functions, positioning, etc. In this paper, the comprehensive term shall be Maritime Force, and in descriptions of historical sea battles, or discussion of the nations which call it Navy, the term “navy” or “naval force” shall be used.

⁴ On October 27 and 28, 1997, the 13th International Symposium, “Ocean Governance and Maritime Security Cooperation in the Asia-Pacific: OPK for Stabilization of the Oceans and Confidence Building” was held at the National Institute for Defense Studies. Researchers were invited from 9 countries, who reported and discussed the roles of naval forces and stabilization of the oceans in the 21st century.

⁵ The international symposium “Cooperation in Security for Stabilization of the Oceans” was held as a follow-up to the International Symposium held at NIDS for 3 days from August 31, 1998. Admiral (Ret’d) S.R.Foley, former Commander in Chief, US Pacific Fleet, Fleet Admiral V.N. Chernavin, former Commander, Soviet Navy, who confronted each other during the Cold War, Admiral (Ret’d) F.Okabe, former Chief of Staff, Maritime Self Defense Force, Vice Admiral (Ret’d) M.Konishi, former Commander in Chief, Self Defense Fleet, and Dr.Hou Wenfeng, Director of the China National Marine Data and Information Service, were invited to this symposium.

to OPK.

1. Ocean Governance and OPK

(1) Concept of Ocean Governance

The United Nations Convention on the Law of the Sea is a future oriented treaty to create the fundamental framework for ocean management and structured with the principle of defining the oceans as the “Common Heritage of Mankind.” At the 22nd United Nations General Assembly in 1967, Arvid Pardo, Maltese Ambassador to the United Nations, stated as follows⁶ and advocated the necessity to place the deep sea beds and their resources under international management.

The dark oceans were the womb of life, from the protecting oceans life emerged. We still bear in our bodies, in our blood, in the salty bitterness of our tears the marks of this remote past. Retracing the past, man, the present dominator of the emerged earth, is now returning to the ocean depths. His penetration of the deep could mark the beginning of the end for man, and indeed for life as we know it on this earth, it could also be a unique opportunity to lay solid foundations for a peaceful and increasingly prosperous future for all people.

Almost all the members of the United Nations at that time participated in the Third United Nations Conference on the Law of the Sea held in response to the speech by Ambassador Pardo, and had spent nearly ten years in deliberations on the maritime order. The United Nations Convention on the Laws of the Sea was adopted in 1982, and after ratification by the required number of nations, became effective in 1994. During the process of deliberation, contrary to the noble belief of Ambassador Pardo, there were disputes between the coastal states and states that had traditionally utilized the seas, and it took a tortuous course until it was finally adopted. The United Nations, however, succeeded in maintaining the fundamental principle that the oceans are the “Common Heritage of Mankind” as the basis of the United Nations Convention on the Law of the Sea.

Enactment of the United Nations Convention on the Law of the Sea drastically changed the fundamental legal structure concerning the oceans. Oceans had traditionally been treated as “res nullius” possession, but the new maritime order was established based on the doctrine that the oceans are the “res communis.” In other words, the coastal states can establish the exclusive economic zones, etc., and claim sovereign rights, but such rights are now endowed by the principle that it is entrusted to them from mankind to preserve the oceans. A new direction was born here to structure the “society of mankind” that surpasses the coexistence of sovereigns.

⁶ UN Doc. A/C. 1/PV. 1515 p. 2, para. 7.

Adoption of the “Common Heritage of Mankind” concept indicated that the purview of the application of the Law was changed from the double-deck structure of “national society” and “international society” into a triple-deck structure of “national society,” “international society” and “human society.” In other words, “human society” exists behind the international society as the coexistence of sovereign states, and the United Nations Convention on the Law of the Sea shall be applied to the “human society” that expand beyond the traditional range of application of international law. The United Nations Convention on the Law of the Sea was established with not only the states but mankind as the subject as well, and the ocean management conducted in accordance with the law means management of mankind’s oceans by the hand of mankind. The global issues of resources, environment, population, food or refugees are difficult to solve in “international society,” the court of coordination of interests among sovereigns, because they present threats to wide areas beyond borders and require measures on a global scale. The new concept shall bring those global issues into the court of “human society” where the fences called borders have been clearly removed. Thus, we can expect to immediately solve the global issues which have been obstructed by the “sovereignty” barrier.

The “Common Heritage of Mankind” concept might have added an ethical aspect to the international law which had heretofore been mere agreements among states.⁷ The spirit of “common” that is innate to the “Common Heritage of Mankind” concept regards the oceans as the property of mankind, and shall prevent the exclusive utilization of the oceans by a certain state for its temporary interest, i.e., prevent the exhaustion of marine resources, the destruction of marine environment, or armed conflicts at the oceans. Furthermore, it shall necessarily lead to the “sustainable development of the oceans,” “peaceful settlement of disputes at the oceans” and the “principle of cooperation” in the pursuit of these objectives. Such ethical aspects are evident throughout the entire the convention. The “principle of cooperation” in the law means the “sharing of management authority,” and together with the application of this convention to “human society,” it shall make the contracting parties bear the “responsibilities for consolidated management of the oceans.” The whole governance for the management of the oceans to be conducted as described above is called “Ocean Governance.”⁸

A “legal framework,” “political framework” and “action plan” are required to effectively conduct the consolidated management of the “oceans.” The “legal framework” is the United Nations Convention on the Law of the Sea which became effective in 1994, and the “political framework” is Chapter 17 of the “Agenda 21”⁹ which was adopted at the Earth Summit in 1992. IWCO was established in 1995 with the objective of preparing the remaining “action plan” advocated by the Secretary General of the United Nations. IWCO adopted the “action plan” in

⁷ Elizabeth M. Borgese “New Age of Ocean: At Effectuation of United Nations Convention on the Law of the Sea,” *Yokohama Shiritsu Daigaku Ronso*, Vol. 45 (March 1994), pp. 135-136. Dr. Borgeze said, “the United Nations Convention on the Law of the Sea has an ethical aspect now that the concept of the common property of mankind has been introduced.”

⁸ Refer to Kazumine Akimoto, “New Concept of Security: Stabilization of Oceans (Vol. 2),” *Hato*, No. 132, (September 1997), pp. 1- 20 on ocean governance and consolidated management of the oceans.

⁹ Earth Summit Agenda 21- The United Nations Programme of Action from Rio, 3-14 June, 1992.

the Final General Assembly in Lisbon in June 1998, and proposed the plan in the general assembly of the United Nations in December 1998. Chapter 1 of the plan concerns the promoting peace and security in the oceans, and states the importance of the activities of the maritime forces contributing to the stable use of the oceans.

(2) Security concept and ocean governance

The term security has traditionally been used as a concept in connection with the following. A state prepares against armed attacks or invasions from the outside, and if any armed attack or invasion should occur, the state assures the safety of the state by taking countermeasures against it. The subject of threats in this concept is usually the military power of other states. During the Cold War, the break-out of a large scale war was avoided by the interactions of deterrence strategies of both the United States and the Soviet Union, or the military balance among the allies in the West and the East, and a mechanism to deter escalation was working in the armed conflicts in the areas called the proxy wars supported by the fear of escalation to a direct confrontation between the United States and the Soviet Union.

Various arguments have been presented concerning security in the post-Cold War world in which the explicit enemy is said to have vanished. Neo-realists argue that confrontation among superpowers is inevitable in international society, and liberalists argue that wars will not break out among democratic nations, while some expect much of the collective security mechanism of the United Nations. Confrontations are always associated with the relations among states if the pursuit of national interests is the objective of politics and diplomacy and if the resources for the interests are limited. Among states which participate in the Organization of Economic Cooperation and Development (OECD), however, even if economic disputes and other conflicts occur frequently, it must be difficult to take measures that might deprive them of all economic interests by daring to undertake armed conflicts while the interdependency in their relations deepens. Even if an armed conflict becomes likely to break out, the states that have deep economic relations and share interests with the other contracting party would exert every diplomatic effort to peacefully settle the conflict. Then, the feature of international relations in the post-Cold War period would be the unlikelihood of armed conflicts occurring among the advanced countries.

Among the developing countries, on the other hand, it is also a characteristic of the post-Cold War period that the frequency of occurrence of civil wars inside the countries is increasing. Unlike the proxy wars for the United States and the Soviet Union during the Cold War that were regionally limited, most of the armed conflicts that have frequently been seen after the Cold War broke out among different ethnic groups, groups with different religions or different political ethics within the countries, and they tend to exert significant impact on the neighboring countries through destruction of the environment and floods of refugees. The causes for such civil wars vary, but many of them break out due to complicated causes of historically deep-rooted ethnical, religious or political conflicts mixed with the shortage of resources and destruction of the environment caused by development, population explosion and shortage of food, territorial disputes or population movement. In other words, there is a pattern that when the balance among development, resources and the environment has broken, it activates the latent factors for

disputes and impairs peace, or it causes civil wars to be more complex and more long-lasting and threatening to the security of the neighboring countries. It is time to recognize that the excessive exploitation of resources, destruction of environment, population increases and food shortages, refugees and other global issues have impact beyond borders and require global measures, and they are enormous threats to security that would endanger peace and stability.

There are three documents of the United Nations that promote the resolution of global issues and assure continuous development and security through international measures. They are “An Agenda for Peace” and its supplement,¹⁰ “An Agenda for Development”¹¹ and the above-mentioned “Agenda 21.” “An Agenda for Peace” and its supplement propose preventive diplomacy, peacekeeping, peace building and other approaches to realizing international peace and security, and “An Agenda for Development” indicates that economic growth of the developing countries and the sustainable development of human society are inseparable from maintaining peace and stability.

The “Agenda 21” focuses on the issues of resources and environment that are closely related to the sustainable development of the oceans, and recommends international society to take necessary measures to continually utilize the limited resources while protecting the environment. “Peace” cannot be maintained only by preventing armed attacks or invasions by the armed forces of another state. The three documents imply that consideration of security must include measures against global issues related to “development” and “resources and environment” that are closely concerned with “peace.” The subject of security has been extended to non-military threats.¹²

The United Nations Convention on the Law of the Sea has three principles, namely, sustainable development of the oceans, peaceful settlement of disputes at the oceans, and promotion of cooperation, and there is already a concept of security to place “peace,” “development” and “environment” on the same stage and protect the oceans comprehensively. It was a clear indication of that fact that the “ratification and execution of the United Nations Convention on the Law of the Sea, and promotion of the execution of the ‘Agenda 21,’” and “study of the feasibility of maritime management that could contribute to the peaceful use of the oceans and assist execution of ‘An Agenda for Peace’ by the Secretary General of the United Nations” were included in the action policies of IWCO which completed its duties by drawing the “action plan” for ocean governance. It is necessary to assure security by structuring the system where the “action plan” for “consolidated management of the oceans” based on the United Nations Convention on the Law of the Sea is executed on the oceans.

(3) New security concept and OPK

OPK is the idea for coordinated activities among the regional maritime forces in order to

¹⁰ UN Doc., An Agenda for Peace, A/47/277-S/24111, 17 June, 1992 and UN Doc., Supplement to An Agenda for Peace, A/50/60-S/1, Jan. 1995.

¹¹ UN Doc., An Agenda for Development, A/48/935, 6 May, 1994.

¹² Refer to Susumu Takai, “Prevention of Disputes and OPK: New Activities for Stable Utilization of Oceans,” *Journal of National Defense*, Vol. 25, No. 2 (September 1997), pp. 32-46 for the changes in the concepts of security.

maintain order in the utilization of the oceans, to prevent the occurrence of armed conflicts and to assure the stable and sustainable development of the oceans.¹³ OPK is different from the United Nations Peacekeeping Operations (PKO) and United Nations peace support operations conducted by multinational forces or regional multilateral defense organizations based on the resolutions of the United Nations. OPK conducts activities in a different dimension from that of the existing peacekeeping operations framework. The United Nations PKO, for instance, requires a resolution of establishment by the UN Security Council, and a ceasefire agreement and acceptance from the parties involved in the conflict, but OPK will have already been accepted by the regional agreements or arrangements prior to the start of activities, and thus it is possible to execute operations before any armed conflict breaks out.

OPK conducts joint monitoring activities to protect the marine environment and resources. The sea vessels or aircraft mainly from the maritime forces dispatched from the regional states conduct monitoring activities beyond the waters under the regional governments' control, i.e. regardless of the delimitation lines of the exclusive economic zones, to manage the marine resources and protect the marine environment across the zones. The specific activities include monitoring of the fishing conditions in designated waters, e.g. when, where, who, from what states and how many fishing boats are in operation in accordance with the regional arrangement or agreements, and at the same time collecting data on various marine phenomena, the emergence of red tide and other marine data. It would also be possible to extend the service to monitoring of illegal entries, refugees, armed pirates, suspicious vessels and other illegal activities.

It should be appropriate that the maritime forces assume the leadership because such activities shall overlap the waters under each national control and shall include the high seas where national sovereignty cannot be claimed. It is also desirable that the personnel involved maintain an internationally common discipline as military officers in order to effectively promote the coordinated activities on the oceans. It would, however, require cooperation with other professional organizations that can conduct police actions. The operation areas to be monitored are vast. It would require various types of equipment and force of arms in large quantities, and furthermore, flexible minds that are not confined to the top-to-bottom fixed ideas such as police or military duties.

OPK conducts operations required for the protection of marine resources and marine environment. The arena of operations is the waters under the jurisdiction of other nations. Therefore it is essential that the personnel exchange program (PEP) be applied because the trust and transparency of the regional naval forces are of significant importance. OPK can be the actual conducting of confidence building measures.¹⁴ OPK would exert influence to deter the occurrence of armed conflicts in the waters where potential factors for various disputes exist, as the naval vessels and aircraft with the crew in the personnel exchange program will constantly monitor the oceans, even in peacetime. In that sense, OPK activities will contribute to the

¹³ Refer to Susumu Takai, "Legal Aspects of OPK," *Peacekeeping and International Relations* (L.B. Pearson Canadian International Peacekeeping Training Centre), Vol. 26, No. 3 (June-September, 1997).

¹⁴ Refer to Akimoto's paper mentioned above for OPK that contributes to protection of maritime resources and environment.

prevention of regional armed conflict.¹⁵

The maritime force innately has three aspects, namely, military, diplomacy and constabulary duties,¹⁶ and possesses mobility, diplomacy and flexibility that can respond to a wide range of duties both in peacetime and wartime. A number of states maintain maritime paramilitary forces in addition to the naval forces, but even in those states, the duties of public safety and guard are not excluded from the naval forces. The naval forces are usually empowered with the authority to consolidate with the maritime paramilitary forces in wartime. The most advanced nation in this concept is the United States, where the United States Navy and the Coast Guard form “Joint Inter-Agency Task Groups”¹⁷ to control drug trafficking and illegal entries.

Threats to security at ocean are not a concept limited to the naval forces of the major powers as seen during the Cold War. The concept of security has expanded. The threats to security include excessive exploitation of marine resources and destruction of the environment that might endanger the balance of the three elements of security in the 21st century, namely, “peace,” “development” and “resources and environment.” Armed pirates, terrorists groups and other illegal, violent bands that commit increasingly cruel activities do not belong to anybody’s sovereignty. All of these make the border between police activities and military activities ambiguous. The activities to cover the gap between police and military activities would be most important for the future maritime forces. Emphasis on such activities, however, does not mean that sea control, power projection and other military capabilities attached to the maritime forces have become unnecessary. The universal objective of the maritime forces continues to be the protection of the sovereignty, territory, and lives and properties of the nation. Sufficient “forces” are required to stabilize the oceans against the new threats. Assignment of new roles to the maritime forces in the oceans where police activities and military activities overlap and creating the presence on the oceans will lead to the capability to maintain stable sea power.

(4) Duties of navies and OPK

When defining OPK, the purpose of its activities, allotted duties and positioning in the aspect of security must be identified. The main objective of OPK is to remove threats to security on the oceans caused by global issues in order to contribute to the “consolidated management of the oceans” which will be beneficial to the sustainable development of the oceans and the peaceful settlement of disputes. The duties are the “stabilization of oceans,” which is a new role for the maritime forces based on a new security concept. It is difficult to position OPK within the existing security concept since it is a new contrivance, but it could be positioned as something similar to security cooperation or cooperative security. Security here, however, is not simply aimed at the assurance of national interests of each nation or interests of the alliances, but at the

¹⁵ Refer to Takai’s paper mentioned above for OPK that contributes to the prevention of regional disputes.

¹⁶ Michael Pugh, Jeremy Ginfier and Eric Grove, *Maritime Security and Peacekeeping* (Manchester University Press, 1994), pp. 10-12.

¹⁷ The United States Navy and the Coast Guard formed a “Joint Inter-Agency Task Force” on the Atlantic coast of the United States to control drug trafficking and illegal entries.

creation of the foundation for the continued existence of mankind, in other words, the security cooperation of the regional nations to protect the vital interest of mankind.

It should be appropriate to quote the military strategies of the United States which position “stabilization” as a new role for the military forces and the doctrine of the Royal Navy of the United Kingdom which identifies constabulary tasks as the duties of the naval force in an effort to describe at which level the “stabilization of oceans” should be positioned within the duties of the naval forces for the maintenance of security. The United States announced the “promotion of stability” by involvement during peacetime and assigning conflict-prevention measures as the new role of the military forces in the post-Cold War era in addition to the “thwarting of aggression” by deterrence and “fight and win” capabilities seen during the Cold War, and emphasized its importance in the “National Military Strategy” in 1995. It was identified that the measures to prevent the escalation of latent regional dispute factors into armed conflicts are necessary and that the military is required to play such a role.¹⁸ The term “stabilization of oceans” is synonymous to “promotion of stability” here.

The “Royal Navy Doctrine” of the United Kingdom classified the duties of the naval forces into “military,” “constabulary” (maintenance of public order, execution of agreements and other police activities) and “benign” (search and rescues and other public welfare cooperation activities). The “military” duties include deterrence, maritime traffic protection and other traditional duties, the “constabulary” duties include enforcement of embargoes, detention at oceans, peacekeeping, piracy control, submerged oil field patrols, fishing monitoring, anti-terrorist measures and other activities which are not armed confrontations, and “benign” activities include rescues in disasters, relief of refugees, search and rescue, ocean pollution control and peace structuring activities, and the “constabulary” and “benign” duties are positioned as measures contributing to stabilization.¹⁹ OPK has the duties in a new field with the main objective as the resolution of global issues. The “constabulary” and “benign” activities of the existing Royal Navy duty classification contain the similar concept.

OPK is an advocacy with the recognition that it is necessary to expand the concept of security to include the range of involvement in global issues in consideration. As mentioned earlier, the aspect of security which deals with protecting national interests or interests of alliances is not denied. Disputes in international society will be inevitable even in the 21st century, and it seems that the violent nature of mankind, the essence of wars, and the importance of security for the states and people are unchangeable. It is, however, being emphasized that the time has come to start taking actions for the security of “human society” which underlies international society. This “human society” security concept will facilitate the resolution of global issues which have been difficult for the dualistic structure consisting of states and international society. It is indispensable to have the cooperation of the maritime forces of the regions to promote this new contrivance.

¹⁸ Refer to John M. Shalikashvili, Chairman of the Joint Chiefs of Staff, *1995 Military Strategy* (Washington, D.C.: U.S. Government Printing Office, 1995).

¹⁹ Refer to “British Maritime Doctrine,” BR1806, D/DNSD8/38.

2. Review of roles of maritime forces

(1) Review of “sea-lane protection”

Three international conferences were held in succession in October and November 1997 in Tokyo to discuss the roles of maritime forces. They were “The 13th International Symposium,” “The 11th International SLOC Study Conference in the Asia-Pacific Region” and “The 4th CSCAP Maritime Cooperation Working Group,” which reviewed the roles of the maritime forces during the Cold War. In August 1998, a follow-up international symposium was held at NIDS to study the feasibility of conducting OPK and maintaining maritime stability by four nations, namely, Japan, the United States, China and Russia.

“The 11th International SLOC Study Conference in the Asia- Pacific Region” was held on November 17 and 18, 1997 at a hotel in downtown Tokyo with 55 researchers from 18 countries, areas and organizations participating. “The International SLOC Conference in the Asia-Pacific Region” was established in 1982 by intellectuals from Japan, the United States, Korea and Taiwan. In those days, protection of the sea-lanes from the naval forces of the opposing powers was a vitally important theme for the members of the free world, and this conference may be said to be one of the products of the Cold War. The importance of the sea-lanes has not changed even in the post-Cold War period, and this conference has been continued with an increasing number of participating countries and regions. The principle of the conference has shifted from the cooperation of the members of the free world in protecting the sea-lanes from hostile naval forces during the Cold War to pursuit of what maritime cooperation should be with the objective of assuring the security of sea-lanes in the new era.

At the Conference in 1997, there was an active exchange of opinions concerning cooperative countermeasures against pirates, cooperation in searches and rescues, cooperation in the eradication of latent dispute factors, cooperation in preventing armed conflicts, etc. as parts of the “regional cooperation to assure the security of sea-lanes.” The complexity of the security environment of the oceans today and ambiguity in the direction to be taken in naval power building were most apparent in the presentation by Daniel Coulter of the United States Department of Defense. One of his slides showed a picture of a large freighter. The owner of this freighter was a Norwegian, the flag state was Liberia, the manager was a Cypriot, and its insurance company was a British corporation. This ship was also covered with insurance by an American insurance company, its captain was a Pole, the crew consisted of Bangladeshians and Filipinos, it was chartered by the United Arab Emirates, and the cargo was destined for Italy, France and Germany.²⁰

This is not an extreme example, but a common scene in the maritime transportation business today. The sea-lanes today are perfectly transnational, and any threat to the sea-lanes would

²⁰ It is also introduced in “the Worldwide Maritime Challenge,” The Office of Naval Intelligence (USN), March 1997.

endanger the interests of all the countries and companies involved in the ships. Threats to sea-lanes are not limited to the naval forces of hostile countries. The seaman's union of the Philippines might go on strike, for instance, and the untrained crew might mishandle the ship and cause its stranding,²¹ both of which could be the threats to the security of sea-lanes. Coulter had made a similar presentation at the maritime symposium, "Multinational Naval Cooperation and Foreign Policy into the 21st Century" held in May 1996 in Halifax, Canada under the auspices of NATO. At that time, he showed an example of a container ship which carried the flag of Panama, with a Filipino crew shipping the materials for a Japanese company in Thailand, starting from Australia to an Asian hub port, Singapore. He pointed out that if anyone planned to destroy trade to and from Japan, it would not be necessary to go all the way to the waters near Japan to attack merchant ships in which a number of countries were involved, but it would be much simpler to destroy the harbors and ports in Singapore.

Many countries in the world have deep concern on what significance the maritime forces will have in the maritime security environment in the 21st century and how to cooperate in assuring security for sea-lanes, and are conducting reviews on the sea-lane protection concept.

(2) In pursuit of "multi-national security cooperation"

On November 19, the day after "The 11th International SLOC Conference in the Asia-Pacific Region," "The 4th Maritime Cooperation Working Group" of "The Council for Security Cooperation in the Asia-Pacific" (CSCAP) was held, for which a total of 21 attendees from 12 countries, including Canada, the United States, China and Australia, along with representatives from Europe and Taiwan, gathered at the Japan Institute of International Affairs. CSCAP is a second track of the "ASEAN Regional Forum" (ARF). The activities of the CSCAP Maritime Cooperation Working Group are still limited to the pursuit of confidence building measures since the ARF itself is still at the first stage of the three-phase process of "confidence building," "preventive diplomacy" and "approach for settlement of disputes."

There had been some attempts to go beyond the dialogue stage in the Working Group. At the Djakarta Conference in December 1996, the "Guideline for Regional Maritime Cooperation" (proposed draft) was prepared and it was agreed to submit it to the steering committee of the CSCAP.²² It indicated the guidelines for the promotion of regional cooperation on the seas for the conducting of maritime management should be stipulated in the United Nations Convention on the Law of the Sea and assurance of the security of sea-lanes. Its contents included, execution of obligations stipulated in the United Nations Convention on the Law of the Sea, cooperation for peace, security and sustainable development, guarantee of the freedom of

²¹ At this symposium, training of the crew was included in the discussion. The representative from the Philippines stated, "Twenty-eight percent of the crew in the world are Filipino, but we have a shortage of training facilities in the Philippines." This is common in the countries who offer crews at low wages, and the crews are not necessarily well-trained.

²² It was drafted as CSCAP MEMORANDUM No. 4.

navigation, assistance in large-scale disasters, protection of maritime resources and environment beyond the demarcation of sovereign waters, and regional cooperation by maritime forces. Some of these activities coincide with the activities of OPK. This Guideline reflected the rise of concerns in the participating countries regarding security at sea where the range of the navy's activities had expanded and regional cooperation is essential to effectively cope with the new range of activities.

At the 4th Maritime Cooperation Working Group, the participants reported on the results of research on the actual conditions of sea-going trade, problems of sea-lanes, energy conditions, ocean pollution along the sea-lanes and other issues of each country or in the region, and conducted discussions based on the reports. The causes for the instability in security in Asia are the economic growth which occurred a record-breaking short period, the subsequent drastic change caused by the currency and financial crises, and the ambiguity in the actions of each nation in coping with the change. This ambiguity in actions seen in some of the Asian nations further aggravates the instability in the security environment where any nation or any crime at seas has the potential to become the party to an armed conflict or a threat to the maritime order even if it does not possess a huge naval power like the former Soviet Union's. It is the Asian seas that require the comprehensive security system for the stable use of the ocean.

The reasons for the immaturity of the multinational security system in the Asia-Pacific region do not lie in the ethnic characteristics or diversity of cultures, but in the innate history of order maintenance in the region, with the vertical social systems in East Asia such as the tribute system and the experiences of the vertical foreign relations between colonies and suzerain states. Today the relations among nations in the Asia-Pacific region are horizontal. The framework for multinational security in this region seems to be formed not through comprehensive concepts but through the process of integration of sub-regional multinational cooperation agreements for each particular objective, such as agreements on cooperation among neighboring nations concerning countermeasures against pirates, drug trafficking or for environmental preservation.

(3) Proposal for a "new role for maritime forces"

On October 27 and 28, just before the two international conferences mentioned above, "The Ocean Governance and Maritime Security Cooperation in the Asia-Pacific: OPK for Stabilization of the Oceans and Confidence Building" was held at NIDS. This Symposium discussed what mankind must do regarding the oceans to cope with the new era of oceans, positioned the roles of the maritime forces in the new era of oceans, and advocated a new security concept and specific confidence building measures. At the symposium, one specialist on maritime security each from the United States, Canada, Russia, China, Korea, Malaysia, Australia, the United Kingdom and the sponsor nation, Japan, made presentations and exchanged opinions in Session 1 (introduction of the OPK concept), Session 2 (reports from researchers invited from overseas concerning new maritime security) and Session 3 (a panel discussion on OPK).

In Session 1, the researchers of OPK presented their opinions on "Ocean Governance and Responsibility of the States for Consolidated Ocean Management" and "OPK (Ocean-Peace Keeping)," and in Session 2, the researchers invited from overseas presented the results of their

research in the fields of maritime security in the post-Cold War period, protection of maritime resources and environment and the United Nations Convention on the Law of the Sea, and contribution to peace and multinational maritime cooperation by maritime forces.²³ In Session 3, the participants presented their constructive opinions to support OPK and enhance its feasibility, and as a summary at the end, they adopted the “Tokyo Appeal” that evaluated the OPK as a contribution to consolidated management and appealed the necessity for further studies in the future before closing.²⁴

The “Tokyo Appeal” and the outline of this symposium were introduced at the general assembly of IWCO held in South Africa in November 1997 and at IOI “PIM” held in Malta in the same year as was mentioned earlier. IWCO discussed the possibility of including the OPK concept in Chapter 1 “Promoting Peace and Security in the Oceans” of the report to be submitted to the general assembly of the United Nations, and the representative to IOI from Malta proposed to take the idea of the OPK in the “Mediterranean and the Black Sea Council for Sustainable Development.” The nations along the coasts of the Black Sea promptly adopted the soft security against non-military threats in the activities related to “peace,” in addition to their traditional agenda of “development,” “resources and environment.”

The authors have already mentioned that a follow-up symposium for this International Symposium was held in August 1998. Researchers from the United States, China and Russia gathered at NIDS, and discussed the feasibility of conducting OPK in the North-East Asian region and reviewed whether the maritime forces of these 4 nations would consider execution of OPK tasks as their duties and roles. It was introduced that Russia had already executed the “Operation Putina,” in which the Russian Navy supported the Border Guards and the United States joined by furnishing Coast Guard aircraft to control the illegal activities in the exclusive economic zones due to the fear of extinction of balleyed polacks in the Bering Sea. The activity similar to those of the OPK, Operation Putina, already become the new duties of the Russian Navy.

²³ Mr. Peter Heydon, Acting Director of the Centre for foreign Policy Studies at Dalhousie University, Canada, presented “Role of Naval Forces in the Post-Cold War Period,” Prof. Dalchoong Kim from Yonsei University of Korea presented “Security of Sea-Lanes in the Post-Cold War Period,” Mr. Li Wenhai from the State Ocean Administration of China reported “Protection of Maritime Environment,” Dr. Evgueni Velikhov, the President of Russian Research Center “Kurchatov” presented “The United Nations Convention on the Law of the Sea and Peaceful Utilization of the Navy,” Dr. Mark Valencia from the E-W Center at the University of Hawaii, U.S.A. (absent, reading by proxy) presented “Joint Monitoring of Resources in the South China Sea,” Dr. Michael Pugh from Plymouth University, U.K. presented “Maritime Police Actions as Welfare for Mankind,” Commander Dick Sherwood of the Australian Navy presented “Strengthening Maritime Cooperation in the Asia-Pacific Region,” and Mr. Nisam Basiron of Malaysia Institute of Maritime Affairs presented “Maritime Environment Protection.”

²⁴ The lectures, reports, Tokyo Appeal, discussions, etc. are published in the “Ocean Governance and OPK,” NIDS, May 1998.

3. Sea Power and maritime Forces

(1) Concept of sea power

The authors have already stated that cooperation of the regional maritime forces is indispensable for conducting OPK. The history of the duties and roles of naval forces tells us that absence of a sea power in a region causes instability on the seas. The lesson from history calls for changes in the duties and roles of maritime forces in the 21st century, i.e., changes in the way of the presence of the regional maritime forces so that they can accommodate the changes in the concept of security, and demands contrivance and execution of new duties.

The history of sea power, which means the force a state exercises on the seas, goes back to the Mediterranean Sea in the 5th century B.C. The sea battle of Salamis between Persia and Athens in 480 B.C. can be regarded as a war caused by the geopolitical confrontation between the continental world and the marine world.²⁵ In the eastern region of the Mediterranean Sea, the domination of the victorious Athenian naval force continued for some time until Athens was conquered by a continental state, Macedonia. The first to the third Punic Wars that started in 265 B.C. resulted in the awarding of the control of the Mediterranean Sea to the Roman naval force that overthrew Carthage. After thoroughly studying on the history of the Punic Wars, Alfred T. Mahan concluded that the decisive factor of the Roman victory was the “control” of the Western Mediterranean region by its naval force, and wrote “The Influence of Sea Power upon History” in which he stressed the necessity for the sea power that could bring about the prosperity of a state and the maintenance of a naval force that could support it.

No naval forces that could rival Rome’s existed after the Roman navy had won control of the Mediterranean Sea, and the Mediterranean Sea gradually became a closed sea for the Romans. The military capability that defended the Mediterranean Sea was transferred from the navy to the army in the coasts, and Rome transformed itself into a land power.²⁶ There were a succession of events in the history of the Mediterranean Sea since then, such as sea battles over domestic disputes of the Romans, invasions by the navy of the rising Saracens and Norman Vikings, confrontation between the sea city-states Venice and Genoa, and rampages by pirates which annoyed the sea-going trade by the Hanseatic League. There was no domination of a single naval force in the Mediterranean Sea.

The Europeans began to eye the East after a series of events, including the expeditions of the Crusades (1096 to 1291), dispatching of the delegates of the Pope to the Yuan Dynasty (1246 and 1248) and the Book of Marco Polo, and trade between the East and West to obtain Eastern products became brisk. When the rising Ottoman Turkish Empire began to threaten the trade with the East, the energies seen in the Renaissance period drove men to seek adventures on the seas. The Age of Great Voyage by the Spanish and the Portuguese began, and oceanographic

²⁵ Heita Kawakatsu, *Concept of Maritime History of Civilization* (Chuo Koron Sha, 1997), pp. 171-172.

²⁶ H.J. Mackinder (Yasunobu Somura trans.), *Ideal and Reality of Democracy* (Hara Shobo, 1985), pp. 44-46.

knowledge, ship-building engineering and navigation capabilities expanded of improved dramatically.

The Ottoman Turkish Empire started to advance into the Mediterranean Sea, and in 1453, they conquered Constantinople, the capital of the East Roman Empire. In 1463, they took control of the Black Sea and proceeded into the Aegean Sea, conquered Lesbos Island, and continued to advance southwards. The allied Christian forces managed to stop the advance of the Ottoman Turkish Empire at battle of Rhodes Island for a while, but Cyprus fell in the end. The allied Christian forces formed the Holy Alliance's combined fleet with the naval units sent by Venice, the Papal Court and Spain, and countered the attack by the Ottoman Turkish fleet. At that time it was only Venice that had a regular navy among the members of this Christian alliance force. Both the Papal Court and Spain took time in forming an improvised navy and were annoyed with the personnel issues for selecting the commanders. There were delays in leaving ports and other repeated blunders. In 1571, the decisive sea battle was fought between the fleets on a scale that had never been seen throughout history, offshore of Lepant on the Peloponnesus Peninsula. The galleatta²⁷ fleet of the Holy Alliance exerted its full force, and the Ottoman Turkish fleet was annihilated. From the viewpoint of military history, this Lepant sea battle was an epoch making event in the history of naval strategy, and later led to the creation of the standing fleet concept, sea control theories and the tactics of decisive battles by fleets.

(2) Sea power and sea control

Mahan did not clearly define sea power and sea control in his "The Influence of Sea Power upon History." It would not be a mistake, however, to define sea power as the entire power of a state concerning the seas, in other words the whole of the marine transportation and ship-building engineering capabilities, navigation capabilities of the crew, degree of utilization of the seas by the state. And sea control is an exclusive power that allows the advantageous utilization of the seas and refuses the enemy's utilization of the seas in wartime.

After the Punic Wars, Rome, supported by its naval forces, maintained the sea power. The Mediterranean Sea, however, gradually became a closed sea for the Romans, which led to the deterioration of naval power. In other words, enclosure by the Romans generated a vacuum in the Mediterranean Sea, and the sea battle of Lepant broke out in such a vacuum. The sea battle of Lepant was a turning point for the formulation of the concept of the sea control, and after that sea battle, the "Mediterranean World" came to an end. During the age of discovery of sea-lanes through the Great Voyages, sea power transformed itself from the generation of a closed sea to the power to assist the expansion of sea-lanes and national interests. The duties of the naval forces changed to the defense of the long, extended sea-lanes as seen today. The naval forces must be present at sea to defend the sea-lanes. That is where the "Fleet in Being" concept was formulated. The naval forces became the core of sea power, and sea control became the

²⁷ A large vessel between a galley and sail ship, equipped with a large number of cannons.

objective of the naval forces.

It was the Royal British Navy that achieved sea control, in the true sense, for the first time in history. The Royal Navy completely destroyed the Spanish Invincible Armada in 1588, and beat the Dutch as well. Thus the Royal Navy contributed to the creation of the Pax Britannica that controlled the seven seas. The Royal Navy in those days were able to engage on all of seas, and British sea power spread throughout the world. The sea power to secure the trade routes was supported by the naval force that could exercise sea control. There lay the large difference between the sea power of the Romans in the Mediterranean Sea. The scale of Britain's control of the seas, however, dwindled as British national power was exhausted. The national power is demonstrated in its naval force, and exhaustion of national power also diminished its naval force.

The sea power theory of Mahan caused excitement in the United States, and became the foundation of American navalism. As the United States developed its naval force on a global scale, the Soviet Union expanded its naval force as well. Sea power during the Cold War was caught in the power game between the United States and the Soviet Union. The Soviet Union aimed to build a naval force that could prevent the American's sea control and power projection the Soviet territory (sea denial power), and, as a result, the Russians managed to build up a large scale submarine fleet for the first time in naval history. The United States recognized the Soviet submarine fleet as a great threat to operations of the aircraft carriers and to the protection of sea-lanes. Before long, the United States waged a campaign for the SLOC defense as the global anti-submarine operations together with all the allies in the free world. In 1986, the "Maritime Strategy" was reported under the name of the Chief of Naval Operations James D. Watkins.²⁸

The "Maritime Strategy" was a national military strategy that announced "the objective to chase the Soviet navy further north, further away, all the way to below the frozen sea." It was an extremely aggressive strategy that completely changed the existing strategy of advancing the United States Navy to the areas of dispute while defending the SLOC, to containment of the Soviet Navy at the verge of Soviet territory. The backbone of this Maritime Strategy was the 600-ship fleet plan that included 15 deployable aircraft carriers, and the alliance strategy. Then, the Soviet Union self-disintegrated, which put an end to the power game between the United States and the Soviet Union concerning hegemony on the seas. The 600-ship fleet of the United States Navy was left uncompleted.

There were several paradigms in the history of the sea power, but the sea powers supported by the naval forces were stable. Absence of naval forces eventually makes the seas unstable. This is a universal truth learned from history. It is an extremely important issue in guaranteeing the stability of the oceans which are the vital foundation of the survival of mankind, to determine what kind of significance should be attached to the naval defense and how to continue its presence on the oceans. All countries are increasingly involved with the seas while economic activities are globalized, and the "stabilization of the oceans" has become a global interest that goes

²⁸ James D. Watkins, CNO, *The Maritime Strategy* (Washington D.C.: DOD, 1986).

beyond the national interest concept of maritime powers. It is necessary to contrive new duties and roles of the naval forces based on the new conception for the 21st century that depart from the traditional duties and roles that had regarded the sea power as the foundation for the prosperity of the states and had aimed at sea control to sustain sea power.

4. American Naval Strategy and New Maritime Security Cooperation

(1) American naval strategy and OPK

It would be no exaggeration to say that the seas in the post-Cold War are under the control of the United States Navy. The sea-lanes of today, however, have created a transnational world as the global economy develops and international society becomes borderless. The threats to the sea-lanes also vary. There are also the problems of excessive exploitation of the resources and destruction of the environment of the oceans that could threaten the foundation for the survival of mankind. The enemies are invisible, but a variety of threats exist. The oceans are under such circumstances today. In the 21st century, will the sea control by the United States Navy contribute to stabilization of the oceans? What can be set as the objective for the maintenance of the presence of the United States Navy when no apparent enemy exists? After the end of the Cold War, the United States has not announced any naval strategies. There is no explicit presentation of the objective as seen in the "Maritime Strategy" that clearly announced containment of the Soviet Navy. It requires a huge expense to maintain the "Fleet in Being." It must be taken into consideration that a navy without an enemy might be reduced in size as a mere prodigal under the national power management policy.²⁹

The role for the United States Navy is significant in maintaining security on the oceans in the post-Cold War period, and it is only the United States Navy that has continued its presence on the oceans worldwide. The presence of the United States Navy is contributing to the stabilization of the oceans in the Asia-Pacific region as well. During the Taiwan Strait Crisis in March 1996, the two American aircraft carriers deployed near the Strait of Taiwan exerted great influence in the resolution of the crisis. The prompt action of the United States Navy in emergencies is evidence of the commitment of the United States to the stabilization of the

²⁹ The national defense budget in fiscal 1998 of the United States was 266 billion dollars. The defense budget for 1988, the last days of the Cold War, was 520 billion dollars, twice as large as this figure. It is uncertain whether the 600-ship Navy would have been completed if the Cold War had continued. The United States in those days suffered from "Twins Deficits." The financial deficit in fiscal 1997 was 22 billion dollars, showing significant improvement from 290 billion dollars in fiscal 1992. This must be the "dividend of peace." At the point of the "Peace Talk in Malta" in 1989, the United States Navy possessed 546 ships. Today it is 357 ships. The "Maritime Strategy" to contain the Soviet Navy in the global scale changed to "Forward.....From the Sea." The force structure of the United States listed in the "Bottom up Review" and "Quadrennial Defense Review, QDR" in May 1997, for the national defense plan by the United States Department of Defense, can cope with two major theater wars almost simultaneously. It seems inappropriate to expect the United States Navy to continuously control stability in the sea areas that are not of vital national interest to the United States at peacetime.

region, even if the objective of the deployment of the aircraft carriers at that time was a restraint against military actions by China. The Japan - US security treaty has great significance in the stability in the Northeast Asian region, and there is no doubt that it is the centerpiece for the defense of Japan.

In consideration of the relations between the strategies of the United States Navy and OPK, it is possible that apprehensions arise as to the conception like the idea that OPK might be contradictory to the strategies of the United States Navy, and if so, that OPK might obstruct the development of the United States Navy which could lead to deterioration of the Japan - US security treaty and stability in the region.

OPK, however, is regional cooperation with the objective of contributing to the “consolidated management of the oceans,” and is in a different dimension from the objective of the Japan - US security treaty. The principles of the “consolidated management of the oceans,” namely, the sustainable development of the oceans and peaceful resolutions of disputes, are also vital interests the United States shares with other nations, although the United States has not ratified the United Nations Convention on the Law of the Sea.

The United States itself is involved in the differences in opinions concerning utilization of the oceans with Canada and Latin American countries. The United States is also facing problems of drug trafficking and illegal entries from the outside, and countering those problems by forming a “Joint Inter-Agency Task Force” between the Navy and the Coast Guard. The United States is more aware of the importance of the “Constabulary” and “Benign” duties on the oceans. The conception of the “consolidated management of the oceans” is necessary for the United States as well, and that is why the United States has sent representatives to IWCO, and hosted the 4th general assembly of IWCO in Rhode Island in June, 1997.

OPK consists of multilateral coordinated activities by the multinational maritime forces based on preventive deployment. If the United States Navy does not participate in OPK, the multinational forces without the United States Navy will be present in the oceans in the Asia-Pacific region. It would be unacceptable for the United States regardless of their recognition of the importance of the OPK activities. Japan, which views the Japan - US security treaty as the key element of its defense policies, should not advocate OPK without the United States Navy. Therefore, the conducting of OPK assumes cooperation from the United States Navy.

(2) Presence of the United States Navy and OPK

It is necessary to study the prospect of the strategies of the United States Navy in the 21st century with due consideration to the following 2 points on whether the “stabilization of the oceans” and the foundation of the strategies of the United States Navy, in other words, OPK and the strategies of the United States Navy, can coexist or not.

Strategic selection of the commitment of the United States Navy to the regions;

Movement toward “enclosing the waters” seen in some of the developing coastal countries. The troops and resources of the United States military are limited, and there are limitations to sending troops to overseas regions. Therefore, the United States is bound to be reluctant in becoming involved in the regions that are not vitally important for the United States. The United

States military is structured to have the capability to cope with two major theater wars (MTW).³⁰ The number of naval vessels in the United States Navy at present is 357, as mentioned earlier. The number of naval vessels required to contain the Soviet Navy worldwide was 600. If the two major theater wars are to be emphasized, the United States has no choice but to be selective in sending troops to sea-lane protection in other sea areas. It would be necessary to select the policy based on the strategic judgment on the ways the United States Navy would be involved in the stabilization efforts in the regional oceans at peacetime as well.

The “National Defense Panel”³¹ of the United States pointed out in its advice to the Secretary of Defense in December 1997, “Transforming Defense - National Security in the 21st Century,” that the role of the United States military in national defense would become far more important, and stated like follows.³²

The major duty in the future will be maintenance of regional stability. It will naturally require consolidation of diplomacy, economy and military, as well as sufficient interactions with regional partners and allied nations through diplomatic efforts....it is recommend that major powers who do not ally with the United States for the purpose of regional stability make efforts to formulate the cooperation style, but at the same time US must maintain union with allies who were great help to US during the Cold War. Whether the future military allies or military cooperation will succeed or not depends on the degree of cooperation at peacetime that goes beyond “allotment of work.”

The United States thus advocated the necessity for studying regional cooperation for regional stabilization, and the commitment of the United States in those efforts. OPK can be the answer to this matter. It seems that if Japan takes the initiative in activities like OPK, it would provide Japan the bargaining power to insure the commitment of the United States Navy in the oceans in the Asia-Pacific region.

IWCO and IOI advocate “consolidated management of the oceans,” but there are apprehensions about the movement of the “enclosing the waters” in the developing countries in the coastal regions in the background. It is expected that in the 21st century, the demand for resources and energy will increase, which will spur acquisition and development of the life and non-live resources in the oceans. The developed countries feel apprehensive that some developing countries might upsurge their nationalism due to their interests in acquisition of the marine resources, and might firmly claim exclusive utilization of the resources in the waters under their

³⁰ Les Aspin, Secretary of Defense, *The Bottom-up Review* (Washington, D.C.: USGPO, October 1993), p. 30.

³¹ The National Defense Panel is an independent evaluation organization concerning the future defense strategies and modernization of the military in the United States.

³² “Transforming Defense - National Security in the 21st Century,” Report of the National Defense Panel, Dec. 1997. Presentation by the National Defense Panel to Secretary of Defense Cohen on December 1, 1997. It provided comprehensive advice on strategies, force structures, modernization plan, etc. to counter the future operations environment for the period between 2010 to 2020.

control.³³ If coastal states that possess abundant resources, or coastal states that control the waters where important sea-lanes exist, strengthen their exclusive-mindedness in the waters under their control, it would be a “division of waters” phenomena, and this “division of waters” would restrict the activities by the maritime forces. The coastal states might also impose severe restrictions on the activities of foreign fleets in the waters under their control, with the excuse of environmental preservation and assurance of security. Brazil’s reservation plan that insisted on a ban on the naval exercises in its Exclusive Economic Zone, and the restriction of navigation in the archipelagic waters of Indonesia, are evidence of those actions.

The sea power can be stable when it is supported by the maritime force. If “division of oceans” continues, sea power would be severed, assurance of security of the sea-lanes would become fragile, and the sea control capability of the United States Navy would be significantly restricted. The importance of the concept of the consolidated management of the oceans through international cooperation lies here. The United States should not have any objection in the conception of the “consolidated management of the oceans” as discussed earlier. It would require a reason to make the United States Navy troops develop actions across the waters under foreign countries’ control. OPK that contributes to the “consolidated management of the oceans” should offer a new significance to the presence of the United States Navy in the oceans in the Asia- Pacific region.

(3) Pursuit of maritime security cooperation

The United States Navy has been conducting research on military operations by the multinational naval forces, mainly at the Naval Staff College since 1992, and in 1995, the reports were presented on “International Emergency Development Troop,” “Training for United Nations PKO,” “Naval Forces for Support of United Nations Resolutions,” and “Study on Fishery Disputes.” The United States Navy Doctrine Command announced the “Multinational Maritime Operations”³⁴ in September 1996 based on the results of such research. In the opening announcement, it said, “the time has come for the State to plan multinational operations instead of single operations.”

The Command announced the guideline “Development Issues for Multinational Navy Doctrine”³⁵ in preparation for the “Multinational Maritime Operations” in June 1995. This

³³ Excerpt from “World Weekly” (February 17, 1998), pp. 68-71, and (February 24, 1998), pp. 66-71.

³⁴ At the Maritime Symposium held in Halifax Canada in 1996 “Multinational Navy Cooperation and Diplomacy in the 21st Century,” the execution of the rights and obligations of the coastal states in the waters under their control was one of the major subjects. The representative from the United States pointed out the ill effects caused by stronger claims for sovereignty by the coastal countries and intensified exclusive-mindedness in the waters under national control. At the “International Conference on Asia-Pacific Sea-Lane Research” in 1997, the representative from Korea who was in charge of the sea-lane issues concerning the United Nations Convention on the Law of the Sea expressed apprehensions about the expanded interpretation of the rights in the waters under national control of the coastal states.

³⁵ James J. Tritten, *Development Issues for Multinational Navy Doctrine* (Norfolk: Naval Doctrine Command, June 1995).

guideline states the new role of the Navy is as follows;

The Navy doctrine announced for the first time after World War II in 1947 classified the United States Navy operations into the operations as a member of NATO, single operations, and bilateral operations, which had been the standard basis for the United States Navy....but today, we must include “host nation support,” “some sort of alliance,” “coalition” and “other multinational partnership in the operations other than those for NATO.”³⁶

It continued to state that “it is difficult to apply the NATO doctrine in the Asia-Pacific region. We need to start with cooperation at the level of duties of the Coast Guard,” and requested a review on the conventional roles of the Navy.

In the post-Cold War period, there is no threat by a super naval power, as seen in the former Soviet Navy in the Asia-Pacific region, but there exist the problems of piracy, fishing resources, territorial rights and other most diversified types of threats that had not been recognized as security issues in the past. These problems affect several nations across borders, and it is desirable to resolve them with multinational cooperation in the region. The necessity for the “cooperation at the level of the Coast Guard” in the guideline arose from the recognition of this reality.

When the piracy, fishing resources and other problems are identified as security issues and are resolved through multinational cooperation, it will lead to the presence of the United States Navy in the waters under foreign countries’ control during peacetime. In the “Joint Doctrine for Military Operations Other than War”³⁷ prepared by the United States Joint Chiefs of Staff, support activities that include rescues of civilians from disasters or civil wars overseas are quoted as examples of the military operations other than war (MOOTW).

In January 1998, the United States, Turkey, Israel and Jordan conducted a joint navy exercise in the Mediterranean Sea. The scenario in this joint navy exercise described searches and rescues, and refuted the charges by the Arab nations that “it is a confidence building measure, not a military exercise assuming enemies.”³⁸ Such joint military exercises were unthinkable during the Cold War, and it had the intention of establishing the influential power of the United States in Central Asia. Such exercises aimed for peaceful operations, however, contributes to confidence building among the nations in the region, and is the only just reason for development of military forces in many regions during peacetime.

The authors have stated that OPK can be a specific confidence building measure and preventive diplomacy measure. It should be feasible to include OPK in the scenario for the multinational naval exercises in Northeast Asia. Adopting OPK as the scenario for joint naval exercises, or proposing its execution as actual duties would give Japan an opportunity to take the

³⁶ US Department of the Navy, *Multinational Maritime Operations* (Norfolk: Naval Doctrine Command, September 1996).

³⁷ US Joint Chiefs of Staff, *Joint Doctrine for Military Operations Other Than War* (Washington D.C.: USJCS, June 1995).

³⁸ *Sankei Shimibun*, January 5, 1998 (morning issue).

initiative in the preparation of the framework for security among Japan, the United States, China and Russia. Sea control means guarantee of the “freedom of the seas” by exclusive utilization of the oceans, as the authors have stated earlier, but in the age of the United Nations Convention on the Law of the Sea, the guarantee of “freedom of the seas” would require a concept concerning peaceful utilization of the oceans, a policy for sustainable development of the oceans, and coordination with the maritime utilization systems. Even if the joint exercises among the nations in the same region are conducted for the benefit of the national interests, if the scenario is OPK, it would result in the benefit for mankind. In other words, pursuit of the national interests would be difficult without presenting the benefit for mankind upfront. The time has come for that.

Conclusion

Sea power has been stable with the support of naval forces, and maritime order has been maintained under stable sea power throughout history. Today, the world of maritime transportation has become borderless at a pace that far exceeds imagination. Because dependency on the oceans has increased rapidly to acquire resources, all nations have deeper involvement with the oceans. It is now necessary to create a new concept by reforming the in awareness, and replace the conventional concept that maritime security requires “sea power that assures prosperity of the nation and naval forces that support it.” The “consolidated management of the oceans” advocated by IWCO and IOI is a guideline for management of the sea by human society which shares the oceans to guarantee the stable and sustainable development of the Oceans. The “consolidated management of the oceans” requires an international order for utilization of the oceans and a system to maintain the order. That is where naval forces can offer a certain contribution. Dr. Elizabeth M. Borgese, Founder and Honourary Chair of IOI, mentioned when she visited NIDS that “the United Nations Convention on the Law of the Sea is divorced from the naval forces. Without contribution from healthy naval forces, there could be no maritime peace,” and expressed her opinion that the maritime forces should play an indispensable role in the stabilization of the oceans. The “consolidated management of the oceans,” which is the proposal for comprehensive security necessary for survival and prosperity of mankind, will become more realistic in the 21st century if OPK is supported as the bearer of the indispensable role for maritime stability.

The times call for thinking afresh, for striving together and for creating new ways to overcome crises. This is because the different world that emerged when the cold war ceased is still a world not fully understood. The changed face of conflict today requires us to be perceptive, adaptive, creative and courageous, and to address simultaneously the immediate as well as the root causes of conflict, which all too often lie in the absence of economic opportunities and social inequities. Perhaps above all it requires a deeper commitment to cooperation and true multilateralism than humanity has ever achieved before.

It is well said, by the former Secretary General of the United Nations, Boutros Boutros-Ghali³⁹.

³⁹ Supplement to An Agenda for Peace, *op.cit.*, para. 103.