Chapter Seven

Conclusion
Broadly, the objectives of this thesis have been, first, to identify the place occupied by the Indian Ocean and South Asia in China’s maritime strategy, and secondly, to identify the appropriate means of dealing with the global and regional maritime security concerns regarding China’s maritime strategy as far as the Indian Ocean and South Asia are concerned. In order to facilitate the achievement of these objectives, in chapter two, it laid the outline of a general framework for analyzing the maritime dimension of international relations by elaborating on the maritime dimension of military strategy, the maritime dimension of international law, and the concept of sea lines of communication (SLOC). Oceans are comparable to mountain ranges and deserts as a ‘space’ that separates areas of human settlement. Through the course of time, with the development of technology, ocean-space has become increasingly important both as a medium of transportation, and a repository of living and non-living resources. Thinking about ocean-space in terms of military strategy involves thinking about ‘using’ it by actual or threatened force, in the interest of one country or a group of countries, against the interest of another country or a group of countries. The United Nations Convention on the Law of the Sea (UNCLOS/ LOSC) can be thought of as an attempt to provide a set of rules aimed at peacefully ‘regulating the use’ of ocean-space in the interest of all countries. Greater the link between a country’s ‘national economy’ and the ‘international economy’, greater will be the importance of ‘economic SLOC’ to it. However one needs to qualify this by pointing out that below the threshold of ‘total war’ a country is unlikely to exhaust its stockpiles of necessary materials for sustaining a war effort. Therefore even if a country’s economy is closely linked to the ‘international economy’, below the threshold of ‘total war’ ‘economic SLOC’ may not be of crucial importance to a country’s war effort, whereas in a condition of ‘total war’ ‘economic SLOC’ are certain to be of vital importance to such a country’s war effort. Given that ships carry over 90% of international trade, sea lanes are vital to the functioning of the international economy. Military strategy prescribes ‘convoys’ (i.e. merchant ships escorted by naval ships) and ‘patrolling’ as ways in which a country can secure SLOC that are important to it. However, as shown by our extensive examination, securing SLOC for one’s own country can make them insecure for another country. The UNCLOS and other related institutional mechanisms for international cooperation seek to provide a system of regulations for
making sea lanes secure for all countries. Alongside inter-state conflict, terrorism-at-sea and piracy have emerged as significant threats to the security of SLOC/ sea lanes in recent years. Primarily based on strategic thinking, chapters three and four have identified the place occupied by the Indian Ocean and South Asia in China’s maritime strategy. Primarily based on institutionalist thinking, chapter five has examined maritime cooperation in the Indian Ocean and South Asia, and chapter six has examined China’s participation in global and regional maritime cooperation, so as to be able to identify the appropriate means of dealing with the global and regional maritime security concerns regarding China’s maritime strategy as far as the Indian Ocean and South Asia are concerned.

The arguments we considered in chapter three indicated that there is a link between China’s ‘blue water’ maritime strategy and the ‘opening’ of China’s economy in the context of the overall post-Mao reform initiated under the leadership of Deng Xiaoping. For Ni Lexiong (2005) China’s sea power strategy should be constructed in such a way that it can compete with other states without alienating itself from international society. Kane’s (2002) argument that the growth of China’s maritime power is part of an overall grand strategy to improve its position in terms of power at the regional and global levels is cast primarily in competitive terms. You Ji (2006), Xu Qi (2006), and Kondapalli (2001) have looked specifically at the PLA-N. For You Ji, as well as for Kane, whether the PLA-N will become a ‘blue water’ navy or not depends on China’s economic growth and military modernization. Based on geostrategic thinking Xu Qi advocates the advancement of a ‘revolution in military affairs with Chinese characteristics’ in order to strengthen the PLA-N. While Xu Qi believes that a more powerful PLA-N can contribute to regional development and peace, Kondapalli has argued that the rise in China’s naval power will create regional instability. If one considers these arguments in the light of our framework for analyzing the maritime dimension of international relations, what is clear is that the growth of China’s seaborne international trade gives it an increasing stake in the security of international sea lanes, and one could argue that this makes a ‘blue water’ navy and an appropriate maritime strategy a necessity from China’s point of view.
As Hu Shisheng (2004) has pointed out, South Asia can provide maritime transshipment points for the international trade of China's western and southwestern provinces. Garver (2006) has noted that the same routes that facilitate the transport of trade through Central, Southwest and South Asia, can also facilitate military mobilization. Moreover, as Pehrson (2006), Kondapalli (2007), and You Ji (2008), as well as Hu Shisheng, have taken note of, the increasing amount of energy imported by China from the Middle East/West Asia and Africa has to be transported through the Indian Ocean. If China's increasing international trade gives China a greater interest in developing a blue-water navy, facilitating the international trade of China's western and southwestern provinces and securing its energy imports from the Middle East/West Asia and Africa give China's maritime strategy a greater interest in the Indian Ocean and South Asia. Two aspects of China's maritime strategy are of concern in this regard. These are the PLA-N’s ability to operate in the Indian Ocean, and relatedly, the availability of support from littoral countries. As both Kondapalli and You Ji have indicated, the PLA-N is likely to develop the necessary capabilities for operating in the Indian Ocean in the coming decades. Garver (2001) has pointed towards an inevitable geopolitical rivalry between India and China in the Indian Ocean, involving competition for influence in countries such as Pakistan, Myanmar, Sri Lanka and Bangladesh. China's concerns regarding the security of its seaborne energy imports from the Middle East/West Asia and Africa has complicated the situation. The 'string of pearls' strategic geopolitical construct that has been discussed in connection with China's strategy in the Indian Ocean has a lot to do with US concern about the growth of China's influence there. The overlap between the American 'string of pearls' construct and the Indian 'encirclement' construct indicates that there is some commonality in American and Indian perceptions of China’s influence in the Indian Ocean. Therefore it is important to place the possibility of an India-China rivalry in the Indian Ocean in the context of the predominance of the United States Navy (USN) there. Kondapalli argues that given the fact that the United States and India are very influential in the Indian Ocean, and taking into account China’s sensitivity to leadership issues in multilateral security initiatives, the latter is attempting to unilaterally maximize its security through client and quasi-ally states in the Indian Ocean. On the other hand, You Ji argues that both India and China have to come to terms with
the predominance of the USN in the Indian Ocean, and that Chinese naval power is more likely to be projected against the US than against India. Kondapalli points out that the energy issue may lead to cooperation between China and India, and You Ji points out that comprehensive cooperation with India in the energy sector could be an effective way for China to resolve its oil transportation dilemma in the Indian Ocean. Moreover, despite Kondapalli’s pessimism, the development of institutional mechanisms for multilateral maritime cooperation in the Indian Ocean and South Asia, and China’s participation in multilateral maritime cooperation, could also help address the global and regional maritime security concerns regarding China’s maritime strategy.

With regard to the implementation of UNCLOS in the Indian Ocean, Schofield (2007) has looked at maritime boundary delimitation and jurisdiction, and Bateman (2002) has looked at freedom of navigation and measures for facilitating the same. Schofield contrasts the eastern and western halves of the Indian Ocean in terms of coastal geography as well as in terms of maritime boundary limitation. He points out that the eastern Indian Ocean is characterized by major archipelagos, most notably that of Indonesia, but also the Andaman and Nicobar Islands group. These island groups are predominantly located towards the Indian Ocean’s mainland margins and there are relatively few isolated islands. In contrast, the western part of the Indian Ocean features predominantly smooth continental coastlines, coupled with numerous small isolated islands and groups of islands such as the Comoro Islands group and islands scattered through the Mozambique Channel, the Seychelles, the Maldives, the Chagos Archipelago, Reunion and Mauritius. He goes on to argue that in addition to the contrast between the eastern and western parts of the Indian Ocean in terms of coastal geography, there is also a marked contrast between these two sectors of the Indian Ocean with regard to maritime boundary delimitation. While in the east over twenty maritime boundary agreements have been concluded and the maritime boundary mosaic is largely complete with the exceptions of the Bay of Bengal and boundaries associated with the recently independent East Timor, in the west only seven maritime boundaries have been delimited since 1976. In his view this contrast cannot be attributed completely to the impact of differing coastal geography. Political factors have tended to play a dominant role.
Significant civil unrest, in for example, Mozambique, Somalia and Yemen, has tended to push maritime boundary delimitation to the background in a number of cases in the western portion of the Indian Ocean. Similarly, the sovereignty disputes over islands outlined above are concentrated in the western part of the Indian Ocean, notably in the Mozambique Channel. These contentious disputes over territory necessarily need to be resolved as a precursor to the delimitation of the associated maritime boundaries. Other important factors that have hampered maritime boundary delimitation, particularly in the western Indian Ocean, include problematic claims to straight baselines and maritime jurisdiction, unilateral claims at odds with equidistance, and disputes over the terminus of the land boundary on the coast. He observes that, where boundaries have been in dispute, innovative and conciliatory practice has delivered equitable and mutually acceptable maritime boundary agreements, as exemplified by the progress that has been achieved in the Andaman Sea. Another notable feature of maritime boundary delimitation practice in the eastern part of the Indian Ocean is the presence of innovative practice in the shape of separate boundaries for seabed and water column, and alternatives to maritime boundary delimitation lines such as joint development zones. According to Schofield such practice illustrate that viable, cooperative and mutually beneficial alternatives to maritime boundary delimitation exist, even if a particular boundary dispute appears to be deadlocked, if the requisite political will to reach agreement is present. Schofield also points out that, while the declaration of EEZs affords coastal states considerable sovereign rights, such claims are also coupled with significant responsibilities. These include protecting and preserving the marine environment, and thus marine biodiversity, and ensuring conservation and optimal use of marine living resources. Advancing such extensive claim to maritime jurisdiction therefore poses a serious challenge in ocean management terms, demanding sophisticated infrastructure and investment. He is of the view that many developing Indian Ocean littoral states are therefore faced with great difficulties in meeting the responsibilities that match their prodigious rights within EEZs, and that purely in terms of monitoring, surveillance and enforcement, the challenge may prove to be beyond their current capacity. Moreover, the surveillance and enforcement challenge also has to face-up to the complexity of the Indian Ocean maritime jurisdictional mosaic. Problematic straight baseline claims give rise to uncertainties over
the limits of maritime zones generated seawards. Lack of delimited maritime boundaries, unilateral and overlapping claims to maritime jurisdiction, and sovereignty disputes over islands, all contribute to uncertainties over jurisdiction and lack of clarity over which state has enforcement rights. Schofield argues that many of these issues are well recognized and positive steps have been, and are being, taken to address them. Such as for example the notable progress that has been made towards addressing the major challenges that exist in respect of the management of Indian Ocean fisheries through the work of regional fisheries management organizations such as the Indian Ocean Tuna Commission (IOTC). With regard to clarifying the Indian Ocean jurisdictional picture and overcoming the difficulties associated with excessive or competing maritime claims, he highlights the two treaties between Australia and France on cooperative surveillance and enforcement that transcend their respective maritime jurisdictions and boundaries, concluded in order to help combat illegal foreign fishing in waters around their respective sub-Antarctic island territories on the fringes of the Indian Ocean, and argues that this represents an example of a cooperative response to a common challenge. Schofield goes on to argue that while it has to be acknowledged that major challenges remain, it is to be hoped that the shared maritime interests of the Indian Ocean coastal states, emphasized by the presence of highly migratory and economically valuable stocks such as tunas in the waters of the region, will provide a powerful incentive and argument for the development of similar maritime cooperative initiatives in the future. Bateman argues that the concept of freedom of navigation has both economic and strategic significance. Disruption of the free flow of commercial shipping by the most expeditious route can have serious economic consequences, such as higher transportation costs, delays in supply of critical imports and a sudden increase in demand for shipping capacity. The strategic consequences of such a disruption has to do with the pressure created on countries who’s supply of essential imports such as energy is disrupted. The disruption of Indian Ocean seaborne trade would put a great deal of pressure on countries like Japan and China, and to a lesser extent also on the United States. Moreover, the access waterways into and out of the Indian Ocean has great strategic significance for Indian Ocean countries wishing to deploy naval forces out of the Indian Ocean and for extra-regional countries wishing to deploy naval forces in the Indian Ocean. Major Indian
Ocean countries such as Australia, India and South Africa, share a common interest with important non-Indian Ocean countries in Northeast Asia, North America and Western Europe in maintaining freedom of navigation in the Indian Ocean, especially in the key access waterways. This common interest establishes a basis for maritime cooperation and confidence building in the Indian Ocean. Cooperation is required to enhance the commercial efficiency of shipping, maintain safety, and to reduce the impact of shipping on the marine environment including by the reduction of shipping casualties. Cooperation is also essential for the mitigation and prevention of ship-sourced pollution, including arrangements for responding to major oil spills from maritime accidents, and monitoring oil spills in open waters from routine tank cleaning and ballasting. Cooperation is also required in an operational context to prevent and deter piratical and terrorist attacks. In times of tension and conflict operational cooperation will also be necessary to protect focal areas and choke points from closure due to mines and other threats to shipping. A common regional understanding of navigational regimes, where uncertainty exists with regard to aspects of the transit passage regime and the rights of coastal states in the EEZ, would also constitute an important confidence building measure. Bateman goes on to point out that, despite their common interest in the freedom of navigation and oceans management, the littoral and island countries of the Indian Ocean are extremely diverse. Earlier attempts at building cooperation in the Indian Ocean have not been completely successful, and the level of existing cooperation is not as high as elsewhere in the world. The Indian Ocean rim contains much of the world’s underdevelopment, population growth, the issues that produce North-South schisms and frustrations, disease, natural disasters such as tsunamis and tropical storms, and environmental vulnerability. There has also been the issue of the extent to which non-Indian Ocean countries should be involved in cooperation. However globalization has tended to weaken the objections to their involvement, this being certainly the case with cooperation to ensure the freedom of navigation. Furthermore, countries have suspicions concerning the capabilities and intentions of their neighbors. There are few obvious naval ‘partners’ in the Indian Ocean. Cooperative activities can also be used to gain intelligence on the capabilities of other countries. Nevertheless, Bateman is of the view that there is scope for a higher level of naval and maritime cooperation to ensure and enhance the freedom of navigation in the
Indian Ocean. Political care is needed to prevent cooperative activities from becoming ‘stumbling blocks’ rather than ‘building blocks’ for a more secure Indian Ocean. Activities that can be undertaken include: the development of regional protocols to cover applicable navigational regimes; operational cooperation to protect shipping from piratical and terrorist attacks; and contingency planning to protect focal areas against threats in times of conflict. Development of such initiatives are not just a matter for Indian Ocean countries but requires the involvement also of major user states in Northeast Asia, Western Europe and North America, who also have an interest in the freedom of navigation in the Indian Ocean. The more developed countries have a role in building the capacity of less developed countries in the region to implement and manage navigational safety services.

The specific attempts at institutionalizing regional maritime cooperation in the Indian Ocean that we have looked at are the Indian Ocean Zone of Peace (IOZP) initiative, the Indian Ocean Marine Affairs Cooperation (IOMAC) process, the Indian Ocean Rim-Association for Regional Cooperation (IOR-ARC), and the Indian Ocean Naval Symposium (IONS). In 1989 important extra-regional western members of the UN Ad Hoc Committee on the IOZP withdrew from it arguing that superpower rivalry in Indian Ocean has diminished with the end of the Cold War and that therefore there was no need to create an IOZP. However, while the anticipated ‘New World Order’ on which such an argument was based may have prevailed very briefly in the early 1990s immediately after the end of the Cold War, by the beginning of the 21st century rivalry in the Indian Ocean had remerged (Berlin 2002: 27). Therefore despite the many complexities of the IOZP initiative the need for such an initiative and its implementation remains. By the late 1990s the Arusha Agreement, which had attempted to formally establish IOMAC as an organization, had not managed to acquire the necessary number of ratifications needed to come into force. The IOR-ARC has focused on economic cooperation rather than maritime cooperation. Gurpreet Khuranna (2008) has suggested that the security agenda of the latest initiative, IONS, could complement IOR-ARC’s economic agenda.
With regard to South Asia, no action seems to have been taken till date regarding Alam’s (1997) proposal for the setting up of a SAARC Centre for Maritime Cooperation. Perhaps, when thinking about multilateral maritime cooperation in South Asia, one should take the following two points into account. First, let us take the argument made by Roy-Choudhury (1998b: 275), in the context of naval cooperation in the eastern sub-region of the Indian Ocean, that ‘...the development of a set of bilateral naval relationships could, over a period of time, be made to evolve into a loosely defined multilateral set of activities...’. In South Asia, there has been a fair amount of maritime cooperation between India and Pakistan, as well as between India and Sri Lanka, particularly in the last few years, and both these bilateral cooperative relationships are ongoing ones. If one goes by Roy-Choudhury’s argument such bilateral maritime cooperation among South Asian countries could evolve into a ‘loosely defined multilateral set of activities’. Secondly, it is important to locate South Asia as a continental sub-region within the Indian Ocean maritime region. Just to illustrate, let us take Peter Lehr’s (2005: 11-13) suggestion that, multilateral security cooperation in the Indian Ocean should focus on the northern part of the Indian Ocean, consisting of the Bay of Bengal and the Arabian Sea. The Bay of Bengal is a sub-region of the Indian Ocean maritime region to the east of South Asia, and the Arabian Sea is a sub-region of the Indian Ocean maritime region to the west of South Asia. The Arabian Sea is situated between the continental sub-regions of South Asia and West Asia (or the Middle East). The Bay of Bengal is situated between the continental sub-regions of South Asia and Southeast Asia. If one thinks in these terms, multilateral maritime cooperation in South Asia may well overlap with multilateral maritime cooperation in West Asia (or the Middle East) and in Southeast Asia. If one thinks in institutional terms, what this translates into is that, maritime cooperation within SAARC may well have to be coordinated with maritime cooperation within the GCC as well as within the ASEAN. Therefore, while not much importance has been given so far to maritime cooperation per se within SAARC, the ongoing India-Pakistan and India-Sri Lanka bilateral cooperation could evolve into multilateral cooperation within SAARC. If and when it does, it may have to coordinate with maritime cooperation within the GCC and the ASEAN.
With regard to China’s implementation of, and conformity with, the UNCLOS, several points can be made. First, there is the issue of the legality of military activities—that is to say activities such as task force maneuvering, anchoring, intelligence collection and surveillance, military exercises, ordnance testing and firing, and hydrographic and military surveys— in foreign EEZs. Both Keyuan Zou (2008) and Ji Guoxing (2002) have discussed this issue in the case of the April 2001 air collision involving an EP-3E surveillance aircraft of the United States and a Chinese jet fighter over China’s EEZ, and Ji Guoxing has also discussed it with reference to China’s naval activities in Japan’s EEZ. Following the incident involving the EP-3E China had accused the United States of violating international law. While the UNCLOS, its Article 301 in particular, provides for the peaceful use of the sea, and prohibits the threat of force and the use of force, the convention does not explicitly prohibit the military use of the EEZ. Moreover, as pointed out by Keyuan Zou, the UNCLOS Article 58(1) can be used to justify military activity in foreign EEZs, because it confers high seas freedoms referred to in the UNCLOS Article 87—of navigation, over-flight and the laying of submarine cables and pipelines— on the EEZ as well. Keyuan Zou goes on to argue that, while military activities in foreign EEZs are not explicitly disallowed under international law, given that the EEZ is not a part of the high seas and that the EEZ is an area under national jurisdiction, there should be a check-and-balance mechanism to regulate military activities in foreign EEZs. Furthermore, he also points out that it is possible to argue that military use of a foreign EEZ is limited to navigation, over-flight and other rights provided for in the UNCLOS Article 87, which would exclude activities such as task force maneuvering, anchoring, intelligence collection and surveillance, military exercises, ordnance testing and firing, and hydrographic and military surveys. Since freedom of navigation and over-flight in EEZs is subject to the resource related rights of coastal states there, one could also prohibit foreign military activities in the EEZ because of the harm they can do to the economic activities of the coastal state there. Keyuan Zou argues that if a certain military activity is of a threatening nature it should be banned in the EEZ, and if not it should be allowed under conditions laid down by the coastal state. He also points out the need for a review of the UNCLOS regarding military and intelligence activities in foreign EEZs. However Ji Guoxing (2002) argues that China’s naval activities in Japan’s EEZ, which
are not always notified beforehand, accord with the principle of freedom of navigation, and given such practice China should not ask other countries for prior notification of their activities in China’s EEZ. Therefore, even though Ji Guoxing takes note of the fact that EEZs fall within the coastal state’s sphere of jurisdiction, his position on this issue appears to be close to that of maritime powers. Secondly, Keyuan Zou has noted that the provision regarding the continental shelf in China’s 1998 Law on the Exclusive Economic Zone and the Continental Shelf includes an emphasis on the ‘natural prolongation of China’s rights to the continental shelf’, and that this is not entirely in conformity with the relevant provision in the UNCLOS. Thirdly, China’s 1958 Declaration on the Territorial Sea and its 1992 Law on the Territorial Sea and Contiguous Zone require foreign military vessels on innocent passage to obtain permission before entering China’s territorial sea. Ji Guoxing suggests that for its part China too should notify other countries before its military vessels implement innocent passage in their territorial waters. Fourthly, with regard to the issue of transit passage through straits used for international navigation, Ji Guoxing notes that the presence of US fleets in many parts of the Asia Pacific would make the adoption of a vessel traffic services (VTS) system by China in the Taiwan Strait, a strait used for international navigation, somewhat controversial. He also notes that the Chinese government is opposed to the calls among some Chinese for declaring the Taiwan Strait an internal strait of China.

With regard to regional maritime cooperation China has been an active participant in the ARF and CSCAP process in general, and in measures for combating piracy in particular. At the CSCAP Maritime Cooperation Working Group (MCWG) meeting held in November 1997 Xu Guangjian (1998b) stressed that the safety of shipping and the smooth flow of traffic through international sea lanes was important to China. The report on the discussions at this meeting also noted that both China and India are importing increasing amounts of energy along sea lanes, and that therefore they are prepared to cooperate in maintaining stability at sea in the region. At a joint meeting of the MCWG and the Transnational Crime Working Group held in November 1999 Zhiguo Gao (cited in Davidson 1999: 3) had stated that China did not favour cooperation in the military sphere, that cooperation in other spheres should be based on respect for state sovereignty.
and non-intervention, and an incremental approach to common problems based on consensus. He had also indicated a preference for bilateralism over multilateralism. At a meeting of the CSCAP Study Group on Facilitating Maritime Cooperation in the Asia Pacific held in December 2006 it was pointed out that with development of the international situation and the emergence of non-traditional security threats the PLA-N was playing a more important role in tasks such as combating terrorism, piracy, smuggling, drug-trafficking, and in search and rescue. It was also noted that the provincial governments have jurisdiction over the territorial sea, while the central government has control over the EEZ. In May 2002 China submitted to the ARF Senior Officials Conference a document concerning China's stand in strengthening cooperation in non-traditional security fields. In November 2002 the Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues was adopted, which initiated full cooperation between ASEAN and China in the field of non-traditional security issues and listed the priority and form of cooperation. The priorities included combating trafficking in illegal drugs, people smuggling, including trafficking in women and children, sea piracy, terrorism and arms-smuggling. With regard to bilateral and multilateral cooperation its objectives are to: strengthen information exchange; strengthen personnel exchange and training and capacity building; strengthen practical cooperation on non-traditional security issues; strengthen joint research on non-traditional security issues, and to explore other areas and modalities of cooperation. The 2002 Declaration on the Conduct of Parties in the South China Sea, which China is party to, also mentions the suppression of piracy and armed robbery at sea. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), finalized in November 2004, provides for regional cooperation through the establishment of an Information Sharing Centre (ISC), capacity building, joint exercises, facilitating extradition, mutual legal assistance and encouraging ships to take protective measures. The government of Singapore was the depository of the agreement, and it opened for signature on February 28, 2005. The agreement entered into force with effect from September 04, 2006 after acquiring the necessary number of ratifications. The ReCAAP was signed on behalf of the Chinese government in October 2006, and in February 2008 ReCAAP-ISC announced that it will receive a contribution of US$ 50,000 from China.
As Christoffersen (2008: 141) has argued, it would be in China’s interest to ratify the ReCAAP because that would reinforce China’s status as a ‘user state’ in the Malacca Straits. However, China has not been supportive of the Regional Maritime Security Initiative (RMSI) of the United States, announced in March 2004, preferring instead a maritime security initiative led by countries of the region.

Keyuan Zou’s (2008) argument is that the principle of ‘the rule of law’ has begun to increasingly influence China’s conduct of international relations. The UNCLOS encourages maritime cooperation at the regional level, and China is playing an active role in such cooperation. However, he fears that China’s strict adherence to the principle of ‘the inviolability of sovereignty’, reinforced by advocacy of the Five Principles of Peaceful Coexistence as fundamental principles of international law, may stand in the way of interaction with neighbouring countries. Following Bateman, referred to in chapter one, Ji Guoxing (2002), referred to in chapter five, emphasizes that the security of SLOC is the classic multilateral maritime security issue, and that therefore China is willing to cooperate with other countries in defending SLOC. He is of the view that a regional maritime cooperation mechanism on SLOC security in the Asia Pacific region should be set up under the ARF, and that such a mechanism should include separate sub-regional multilateral incidents-at-sea (INCSEA) agreements for Northeast Asia, Southeast Asia and the Indian Ocean. Recognizing the existing suspicion regarding the sincerity of China’s participation in multilateral security fora and its commitment to observing internationally accepted rules, Ji Guoxing stresses that China must actively seek to dispel such suspicions and make its due contribution to multilateral SLOC security cooperation in the Asia Pacific region.

China’s most important maritime concerns in its relations with South Asia are oceanic trade transit points for Western and Southwestern China, and the sea lanes connecting the Strait of Hormuz and the Strait of Malacca which carry its energy imports. However Chinese activity related to these concerns in and around South Asia has added to concern among some in India, such as Arasakumar (2006), regarding a ‘strategic encirclement’ of India. As pointed out by both Kondapalli and You Ji comprehensive
bilateral cooperation on the energy issue between China and India is one of the ways in which at least some of these mutual concerns could be addressed. The IOR-ARC, in which China has the status of 'dialogue partner', and the recently inaugurated IONS may provide appropriate regional multilateral arena for addressing China's maritime concerns regarding the Indian Ocean as a whole. If and when maritime cooperation is institutionalized within SAARC, China's 'observer status' in that association could also be helpful. However it is important to take note of the fact that maritime cooperation in the Indian Ocean and South Asia is at present relatively underdeveloped. The great deal of attention to maritime cooperation devoted by the ARF and the CSCAP, and the fact that all the littoral countries of South Asia as well as China are members of the ARF, indicates that the ARF and the CSCAP are more likely to provide an appropriate regional multilateral setting for addressing the maritime concerns in China-South Asia relations. As Bateman has argued, there is also scope for expanding the membership of the Pacific and Indian Oceans' Shipping Working Group (PACIOSWG) within the Naval Control of Shipping (NCS) framework, and such an expansion could include some of the South Asian countries as well as China. Finally, one has to keep in mind that the global and regional legal and institutional frameworks for multilateral cooperation in maritime affairs are themselves in the process of development, and that therefore China's growing participation in them will occur in tandem with their development.