

Maritime Security: A New Field of Cooperation for the Shanghai Cooperation Organization?

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After 17 years of development, the Shanghai Cooperation Organization (SCO) has achieved remarkable results in cracking down on the “three evil forces” of terrorism, separatism and extremism, as well as resolving border disputes and handling transnational crimes. It has become an important force in global security governance. As the security threats will not only come from the land after the expansion of membership, the SCO member states should now also attach importance to maritime security threats, turn their attention to the ocean in a timely manner and gradually strengthen maritime security cooperation.

Necessity of Strengthening Maritime Security Cooperation

The SCO aims to safeguard the security and stability of the region where its member states are located and jointly respond to new threats and challenges.¹ Since its establishment, the SCO’s functions have covered the areas of politics, security, trade, and cultural and people-to-people exchange, achieving fruitful results. However, the organization’s security cooperation has generally focused on the land and has not yet involve maritime security. With the expansion of membership and the subsequent changing external situation, the SCO members need to continue tapping the potential and

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1 “The Astana Declaration of the Heads of State of the Shanghai Cooperation Organization,” June 9, 2017, <http://eng.sectsc.org/load/297146>.

expand the space of cooperation. Non-traditional maritime security is undoubtedly an important choice for cooperation.

Consistency with maritime rights and common interests of member states

The development of maritime security cooperation will help the SCO member states better cope with security threats on the sea and safeguard their maritime interests. Many of the SCO members are landlocked Central Asian countries that encounter a number of security issues such as land-based terrorism, inter-state border disputes, and illegal immigration. As a result, previous security cooperation has mostly been land-based. In fact, non-traditional maritime security threats such as illegal immigration, drug trafficking, piracy attacks and maritime terrorism are on the rise. Besides China, Russia, India and Pakistan, who have been challenged by the grave situation, even inland Central Asian countries are faced with certain non-traditional security threats in the Caspian Sea.²

The development of maritime security cooperation coincides with the common interests of SCO member states, whether they are landlocked or coastal countries. As far as landlocked countries are concerned, while these countries enjoy “the right of access to and from the sea and the freedom of transit” according to the UN Convention on the Law of the Sea,³ the legitimate maritime rights are rarely realized. Strengthening security cooperation in maritime channels is conducive to improving trade security in the Caspian Sea for Central Asian landlocked countries. At the same

2 Regarding the status of the Caspian Sea as a “lake” or a “sea,” there is currently no conclusion. Russia, Iran, Azerbaijan, Kazakhstan, Turkmenistan and other coastal countries of the Caspian Sea mostly regard it as a sea, but the geography community generally believes that it is the largest lake in the world. The Caspian Sea has an ecosystem similar to that of the oceans, rich in oil and gas and biological resources, and has a well-developed shipping industry. In recent years, clashes on oil and gas and biological resources between coastal states have been aggravated, leading to an increasingly deteriorated ecological environment in the Caspian Sea. In addition, illegal cross-border drug trafficking in the Caspian Sea has also increased.

3 Landlocked countries have legitimate rights in the territorial seas and contiguous areas of coastal states, straits used for international navigation, archipelagic waters, exclusive economic zones, the continental shelf, and the high seas. For details, see Articles 17, 58, 78, 79, 125 of the United Nations Convention on the Law of the Sea, http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf.

time, the countries can open up new maritime channels with the assistance of coastal states in the SCO. Moreover, Central Asian landlocked countries enjoy certain indirect maritime rights. For example, marine environmental protection is conducive to improving the marine water environment and promoting the effective exploitation of marine resources and stability of the marine climate, thus playing a positive role in global ocean and climate governance. This is in line with the interests of the landlocked countries. On the part of coastal SCO members, China, Russia, India, and Pakistan all face serious maritime threats such as piracy, safety of sea passage, and damage to marine environment. Cooperation in maritime security is thus beneficial to enhancing the ability of member states to deal with threats and challenges from the sea, which also serves the common interests of all countries.

Participation in global maritime security governance

Since its establishment, the SCO has become an important institution to fight against the “three evil forces,” coordinate conflicts among member states, and maintain regional security and stability. However, the current functions of the SCO are still limited to land-based security governance, with its role in global ocean governance⁴ yet to be explored. Global ocean governance includes traditional and non-traditional maritime security governance, with the former covering military and political security and the latter involving transnational crime, piracy, terrorism, economic security, environmental security, and humanitarian security. In recent years, maritime terrorist threats from the Middle East have become increasingly grave. Since 2015, the Islamic State group has been severely hit in the region and forced to relinquish the territory it had seized in Iraq and

4 Global ocean governance refers to entities, including sovereign state governments, international governmental and non-governmental organizations, multinational corporations and individuals, jointly solving global maritime issues in the context of globalization through binding international regimes and extensive consultation and cooperation, so as to achieve global harmony at sea and realize sustainable development and utilization of the ocean. See Cui Ye and Wang Qi, “Introducing Global Governance into the Ocean Areas: An Analysis on the Basic Issues of Global Ocean Governance and China’s Coping Strategies,” *Pacific Journal*, No.6, 2015, p.20.

Syria. On the verge of collapse, the group has gradually shifted its base to the ocean where the natural environment is complex and governmental supervision is weak.⁵ Members of the extremist group have dispersed to coastal areas to consolidate and develop forces. As the importance of the ocean becomes more prominent, maritime security will become an important area of global governance in the future. Therefore, the SCO should begin to carry out relevant cooperation and contribute to global maritime security governance.

Feasibility of Expanding the SCO's Maritime Security Functions

After years of development, the SCO has possessed the necessary means to strengthen its maritime security functions. With the accession of India and Pakistan, the proportion of coastal countries in the organization has significantly increased and so has its operational capability. The basic conditions are ripe for turning to maritime security.

Mature organizational mechanisms and functions

The various organizational mechanisms of the SCO have matured after 17 years of development. The internal systems and institutions are relatively sound, while its functions have been constantly enriched. In terms of organizational structure, in addition to the eight member states, the SCO also has 10 countries in Central Asia and the Middle East as observers or dialogue partners.⁶ The SCO regularly holds meetings of heads of state, heads of government, and foreign ministers, and has set up a secretariat and a regional anti-terrorist structure. In terms of internal systems, the SCO has signed the Charter of the Shanghai Cooperation Organization, the Shanghai Convention on Combating Terrorism, Separatism and Extremism, the

5 Zhou Nan and Zhou Xin, "Developing the Criminal Justice Cooperation Mechanism of Countering Maritime Terrorism between China and Southeast Asian Nations", *Pacific Journal*, No.3, 2018, p.93.

6 "The Shanghai Cooperation Organisation," Shanghai Cooperation Organization Secretariat, http://chn.sectsco.org/about_sco.

Regulation on Admission of New Members to the SCO, and the Rules of Procedure of the Shanghai Cooperation Organization. These agreements have played an active role in resolving the member countries' border and energy disputes. With regard to organizational functions, the SCO has made significant advances in bilateral and multilateral cooperation, military exercises, and counter-terrorism coordination, and is still exploring new areas of cooperation. Drawing on the existing organizational foundations and advantages, the SCO can make a great difference in maritime security cooperation.

Increased geographical coverage and proportion of coastal countries

The SCO granted India and Pakistan membership status at the Astana summit in June 2017, which was the first expansion since its establishment. Iran, Belarus, Turkey are also seeking opportunities to join the organization. The accession of India and Pakistan is of great significance to the SCO's expansion of maritime security functions. From a geopolitical point of view, "with India as its full member, SCO boundaries would stretch from the Pacific to Europe; and from the Arctic to the Indian Ocean."⁷ The waters involved are vast, rich in resources and of prominent geostrategic value. This provides the SCO members with the geopolitical prerequisite for maritime security cooperation. Looking from the status of its member states, the accession of India and Pakistan has significantly increased the SCO's coastal reach. Prior to the enlargement, although China and Russia are coastal states, the other members are landlocked countries in Central Asia. Since the SCO aims to crack down on the "three evil forces," the SCO has mainly engaged in security cooperation against land-based terrorism. With India and Pakistan becoming members, the number of coastal countries would account for half of the SCO membership, which provides the necessary condition for carrying out maritime security cooperation.

7 "PM's Address at SCO Summit," Prime Minister of India, June 24, 2016, http://www.pmindia.gov.in/en/news_updates/pms-address-at-sco-summit.

Existing bilateral and multilateral cooperation in maritime security

Although the SCO has not mentioned maritime security cooperation at the organizational level, it has been carried out among member countries, such as between China and Russia, China and India, Russia and India, China and Pakistan, as well as between India and Pakistan. As friendly neighbors, China and Russia have cooperated much in the area. The two countries have held joint maritime military exercises on many occasions and strengthened collaboration in maritime science and ocean development. With transportation ministries of the two sides signing a memorandum of understanding for cooperation in navigation safety and marine environmental protection in 2013, bilateral cooperation in this field has entered a completely new stage.⁸ As for China and India, the two countries have made remarkable achievements in marine, polar and climate change research since the signing of the Memorandum of Understanding for Cooperation in the Field of Ocean Sciences, Climate Change, Polar Science and Cryosphere in May 2015. The three countries of China, Russia and India have also touched upon maritime issues at their 14th trilateral foreign ministers' meeting, where the joint communiqué stated "Russia, India and China are committed to maintaining a legal order for the seas and oceans based on the principles of international law, as reflected notably in the UN Convention on the Law of Sea (UNCLOS). All related disputes should be addressed through negotiations and agreements between the parties concerned."⁹ Russia and India have established the INDRA military exercise mechanisms and conducted multiple joint exercises on counter-terrorism, anti-submarine warfare, combating piracy, and destroying illegal armed forces. In April 2015, China's State Oceanic Administration and Pakistan's Ministry

8 Yin Fou and Mei Shen, "China and Russia Sign MoU on Cooperation in Navigation Safety and Marine Environmental Protection," *Journal of Waterway and Harbor*, No.5, 2013, p.375.

9 "Joint Communiqué of the 14th Meeting of the Foreign Ministers of the Russian Federation, the Republic of India and the People's Republic of China," April 19, 2016, http://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1356652.shtml.

of Science and Technology signed the Protocol on the Establishment of China-Pakistan Joint Marine Research Center, promoting bilateral practical cooperation in marine scientific research, disaster management, and environmental protection. In addition, the five countries along the Caspian coast (Russia, Azerbaijan, Iran, Kazakhstan, and Turkmenistan) signed a joint political statement on the legal status of the Caspian Sea in June 2016, and they are actively promoting negotiations on the text of a transport cooperation agreement. In this context, Russia and Kazakhstan have cooperated in fighting against terrorism and drug smuggling. The above-mentioned cases, whether bilateral or multilateral, has laid the foundation for the SCO to include maritime security as an area of cooperation.

Complementarity and mutual assistance among member states

There are two complementary relationships between the maritime forces of SCO member states, namely between the strong and the weak and among the strong ones. Among the SCO member states, the landlocked Central Asian countries are extremely weak in the construction of maritime forces, backward in ocean science and technology, and slow in the development of maritime economy. On the contrary, Russia, China and India have relatively well-developed maritime forces, economies, and science and technology. Therefore, the landlocked and coastal countries of the SCO may carry out bilateral and multilateral cooperation in maritime forces, marine resources development and protection technologies, and coast guard assistance. Through this pattern of the strong helping the weak, coastal states can help the landlocked Central Asian members effectively maintain their legitimate rights and interests in the Caspian Sea, the high seas and the international seabed area. On the other hand, coastal SCO members can achieve complementary cooperation. With rich experience in combating piracy, illicit maritime trafficking and terrorism at sea, China, Russia and India can use the SCO platform to promote maritime security cooperation with each other, which will give full play to their respective

strengths and achieve the effect of “1+1>2.” In recent years, the three countries and Pakistan have paid increasing attention to their maritime rights and interests. Through joint efforts, each member state can, to a certain extent, safeguard its legal interests in the Western Pacific, the Arctic Ocean, the Indian Ocean and the Arabian Sea.

The maritime security-related activities of SCO member states are mutually supportive. Landlocked member states can participate in maritime security operations with the help of coastal members, while coastal countries can serve as a third or an intermediary party to provide support for landlocked countries. Specifically, China, Russia, India and Pakistan can not only play the role of “third party” and promote maritime cooperation between landlocked states and other countries, such as the right of transit in the countries’ waters. The four coastal SCO members can also strengthen cooperation with landlocked members in counter-piracy, fighting against maritime terrorism, scientific research in the international seabed area, and installing pipeline facilities.

Challenges to SCO Maritime Security Cooperation

The SCO has rich experience in land-based security cooperation, but the environment and context of oceans and lands are so different that countries face more uncertainties on maritime issues. For maritime security cooperation among the SCO member states, there are still challenges and obstacles in the way.

Complexity of maritime security issues

The current maritime security issues facing the SCO include not only traditional but also non-traditional ones. These problems are characterized by a surge in number, variety in type, and difficulty with eradication. On one hand, coastal member states of the SCO are, to varying degrees, faced with traditional security issues such as maritime delimitation or territorial

disputes with other countries. On the other hand, the countries are facing more serious non-traditional security challenges, such as maritime terrorism, piracy, drug trafficking, maritime economy threats, and threats to marine ecological security. In recent years, there has been an evident inflow of terrorists and extremists, and incidents of maritime terrorism and piracy are becoming more frequent. These have put more pressure on member states to combat the “three evil forces” at sea. At the same time, economic and trade frictions and conflicts between countries for marine resources are on the rise. The problem of marine environmental damage caused by various countries in the development and utilization of marine resources has become increasingly severe. These non-traditional security issues should not be underestimated. In addition, frictions still exist among some SCO member states, who will have to circumvent their differences if they are to carry out effective cooperation on complicated maritime security issues.

Difficulty in grasping focus of maritime security cooperation

Although the SCO member states have bilateral and multilateral maritime cooperation foundations, they have not yet performed any cooperation in maritime security at the SCO level, which requires each member state to actively explore and coordinate with each other. A series of pressing questions need to be answered before promoting SCO maritime security cooperation. What are the security issues that the SCO can put on its agenda? What areas should be first promoted, continuously advanced, and specifically focused? Should the issues in some areas be addressed through bilateral or multilateral cooperation? At present, the overall maritime strengths of member states are relatively weak, and there is a wide gap between them. This has also increased the difficulty of promoting cooperation to some extent. In addition, as the various maritime issues facing the SCO member states and the countries’ respective focuses are different, there may also be disagreement over the direction for cooperation.

Internal constraints of maritime cooperation

There are territorial and water resource disputes among some SCO member states, which may spill over into maritime cooperation. The India-Pakistan conflict and India's concern about China's entry into the Indian Ocean may also have a negative impact. First, there are complex border disputes and fierce contradictions over the distribution of water resources among Central Asian countries. The continued fermentation of these issues left over by history will affect the normal communication among Central Asian countries, not to mention reaching a consensus on maritime security cooperation among all parties. Although the Central Asian countries have some agreement on the development and utilization of the Caspian Sea, it is likely that fierce competition will continue to arise around the Caspian Sea. This will, to some extent, hinder the advancement of maritime security cooperation among member states. Second, the India-Pakistan conflict may adversely affect the SCO's promotion of maritime security cooperation. In recent years, China's legitimate activities in the Indian Ocean have often been misconstrued by India, whose wariness toward Chinese presence in the region is difficult to ease. In this context, any topic of maritime cooperation involving the Indian Ocean region may be strongly opposed by India.

Intervention by external major powers

If the SCO member states promote maritime security cooperation, it will most likely lead to intervention by great powers such as the United States and Japan. The two countries have tried to drive wedges among the SCO member states. The US, whose attitude toward the organization has changed from initial dismissal to subsequent vigilance and misgivings,¹⁰ has successively proposed the Greater Central Asia Partnership for Cooperation and Development Program, the New Silk Road Strategy, and the "C5+1"

10 Li Jinfeng, "The Shanghai Cooperation Organization Challenges and Opportunities of the SCO Enlargement," *Russian, East European & Central Asian Studies*, No.6, 2015, p.38.

mechanism; Japan, since 2015, has also established the “C5+1” mechanism with Central Asian countries.¹¹ In addition, the United States and Japan’s efforts to win over India will also be an unfavorable factor for SCO maritime security cooperation. To further pull India to its side, the US President Donald Trump has once again promoted the idea of Indo-Pacific Strategy. Although India has a slightly different interpretation, it generally supports the US proposal. In this context, India may dissociate itself from the future SCO maritime security cooperation.

Approaches to SCO Maritime Security Cooperation

The advancement of the SCO maritime security cooperation must be well thought out and its implementation clearly defined. The member states can carry out appropriate cooperation in some key areas. At the same time, they must prevent internal contradictions and external intervention from hindering organizational cohesion, and actively seek cooperation with other interested actors to create an SCO maritime security community.

Identifying the key cooperation areas

First, maritime policing and counter-terrorism cooperation. Through joint efforts of respective maritime law enforcement and security authorities, the member states can combat maritime transnational crimes, drug smuggling, illegal immigration and arms and human trafficking. By conducting joint maritime military exercises on countering terrorism and piracy on a regular basis, the member states can enhance their coordinated operation capabilities.

Second, cooperation in maritime economic security. In recent years, issues facing the SCO member states, such as maritime trade frictions, marine fishery resources, disputes over the exploitation of oil and gas resources, and navigation safety have been increasing. To solve these

11 Li Jinfeng, *Report on the Development of the Shanghai Cooperation Organization (2017)*, Social Sciences Academic Press, 2017, p.25.

problems, the members must strengthen cooperation in maritime economic security. Favorable transit, anchoring and replenishment conditions can be provided among coastal countries, among landlocked countries, and among coastal and landlocked countries. In addition, the SCO members can cooperate on international seabed oil and gas pipelines and the protection of legal fishing on the high seas.

Third, marine environmental protection cooperation. Marine environmental protection is in the common interests of all SCO member states. The rational development and utilization of marine biological resources and oil and gas resources are the responsibility of each member state. In this regard, each country should carry out bilateral and multilateral marine environmental protection in light of the actual situation of sea area under its jurisdiction, such as oceanographic research, marine climate protection, and prevention of oil and gas leakage. This also requires that those member states that are relatively developed in marine science transfer their technologies to other members to facilitate technical and capability progress in these countries.

Fourth, marine social security cooperation. Marine social security cooperation involves areas such as disaster prevention and relief and salvage at sea. A communication mechanism can be set up among the SCO member states to enhance relevant capabilities, aimed at prompt response whenever an incident happens on the sea.

Avoiding internal conflicts and external intervention

The premise and foundation for the SCO to carry out maritime cooperation lies in its strong organizational cohesion. For relevant cooperation projects to proceed smoothly under the SCO framework, the maritime conflicts between India and Pakistan and between China and India, as well as disputes among Central Asian countries, must be properly handled, and the strategic mutual trust between China and Russia should be further enhanced. First, both India and Pakistan should put aside their disputes and strengthen cooperation at the SCO level. As two newly admitted members,

they should think in big-picture terms, focus on the common threats, and carry out necessary maritime cooperation on this basis. At the same time, other member states should make constructive efforts to coordinate the India-Pakistan relationship. Second, for the disputes among Central Asian countries and their competition for water resources, other SCO members can help resolve contradictions through setting organizational agendas and actively building long-term mechanisms to promote stability of mutual relations. Third, restoring the strategic mutual trust between China and India is the top priority. While India has serious misgivings about China's presence in the Indian Ocean, China is highly alert to India's intervention in the South China Sea disputes. Given this, both countries should take opportunities to step up political communication and conducting non-traditional maritime security cooperation on the SCO platform. Last, as two important forces of the SCO, China and Russia should wield their respective influence in promoting strategic mutual trust among the SCO members and help resolve their disputes. The two countries should also strengthen dialogue with India, to lay a foundation for further China-Russia-India maritime security cooperation.

On the other hand, in the face of threats and provocations from external major powers such as the United States and Japan, the SCO must improve its organizational cohesion and decision-making capabilities to prevent "color revolutions." It should also closely observe the follow-up development of the US Indo-Pacific Strategy and guard against obstruction of the SCO maritime cooperation by the US and Japan. In short, after the enlargement, all SCO members should continue upholding the "Shanghai Spirit,"¹² enhance mutual trust, jointly resolve new issues, establish new mechanisms, adapt to new changes, and actively and steadily advance the organization's development to build an "upgraded SCO."¹³

12 The Shanghai Spirit is one of mutual trust, mutual benefit, equality, consultation, respect for cultural diversity and pursuit of common development. It is not only the foundation of the Shanghai Five mechanism, but also the soul of the Shanghai Cooperation Organization.

13 Li Jinfeng, *Report on the Development of the Shanghai Cooperation Organization (2017)*, p.26.

Strengthening cooperation with other countries and international organizations

In the context of globalization, maritime security is not a zero-sum game. The maritime security of a country or region may have a certain impact on every corner of the globe. Therefore, for the SCO, it is far from enough to carry out maritime security cooperation within the member states. It is also necessary to strengthen cooperation with other actors.

On one hand, the SCO, when advancing cooperation in a certain maritime area, should pay attention to consultation and coordination with relevant coastal countries. In combating piracy, maritime terrorism and illicit drug trafficking, member states should actively seek support from neighboring countries to jointly maintain regional stability. Specifically, maritime security cooperation with SCO observers and dialogue partners should be prioritized. Most of these countries are neighbors of SCO member states, who also face maritime security threats and seek to safeguard their maritime interests. It is easier to win their support and collaboration.

On the other hand, as a major international organization, the SCO needs to strengthen cooperation with other international organizations, such as the United Nations and the International Maritime Organization,¹⁴ and with regional groups such as the Commonwealth of Independent States, the Association of Southeast Asian Nations, and the European Union. The SCO needs the support and coordination of these international organizations. It should actively learn from their experience and lessons in addressing maritime security threats and participating in global maritime security governance, in order to facilitate the smooth progress of maritime security cooperation. 

¹⁴ The International Maritime Organization is the United Nations specialized agency responsible for the safety of maritime navigation and prevention of marine pollution caused by ships. The purpose of the organization is to promote cooperation in shipping technology between countries and encourage countries to promote safety at sea, improve the efficiency of navigation of ships, prevent pollution by ships, and handle relevant legal issues.