

The Proposal for an Indo-Pacific Treaty of Friendship and Cooperation: A Critical Reassessment

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Abstract

The emergence of the Indo-Pacific construct brings about interesting avenues for cooperation among states in the region. Characterised by the intertwining geographies of the Indian and the Pacific Oceans, the Indo-Pacific region is home to some of the most diverse peoples and economies in the world. In a speech delivered at the CSIS, Washington in 2013, the former Indonesian Foreign Minister Marty Natalegwa outlined the need for an “Indo-Pacific Treaty of Friendship and Cooperation”. In efforts to continue to address the prospects and challenges for a treaty among the major powers in the Indo-Pacific region, the article argues that a treaty would be necessary step and but should be concluded when sufficient groundwork for it is concluded. The article also argues that, the Indo – pacific concept would be best addressed if there is increased institutionalization of the concept and increased cooperation among middle powers such as India, Indonesia and Australia.

Keywords: Indo-Pacific, cooperation, regional security

Introduction

The development of the Indo-Pacific concept has led to widespread discussion among the members of the academic and the strategic community about the growing importance of the concept's usage in International affairs. Though nascent, the potential for it to alter the regional discourse is immense. Geographical conceptualizations always have the ability to alter and provide more flexible manoeuvring for policy making and strategy. The strategic move to place the Indo – Pacific concept as an alternative paradigm has opened up the debate over this new concept.

The region is a wide canvas of diverse states with different systems, identities and traditions. They have

different strategies regarding security and various intertwined interests with different major powers. Hence the challenge for the success of the Indo-Pacific conceptualization would largely depend on the way in which the behaviour of states concerned can be moulded on the basis of norms and institutions that can be developed. For starters, in May 2013, Indonesia's Foreign Minister, Marty Natalegwa suggested an Indo-Pacific Treaty of Friendship and Cooperation to be floated and signed by all the states concerned.

The growing convergence seems to be taking shape regardless of the changing domestic political environment in the countries of the region. The change in administration in Indonesia however has not commented on pushing forward

the proposal but continues to propose initiatives which show its receptiveness towards maritime neighbourhood and the historical identification as a maritime gateway between both of the oceans. Similarly, India's Act East policy that seeks to embrace Southeast and Northeast Asia, adds more to the growing debate over why the concept could be more successful. Apart from the American acceptance of the term and widespread usage, the Japanese receptivity is also seen in the various policies that have fallen through. Hence, there is growing relevance of such a treaty to be concluded.

However, a number of challenges also confront the region. The attempt at revising the existing status quo position by China and the assertiveness of states in pushing forward their agenda unilaterally will affect the security situation in the region. Therefore, by developing a new understanding about regions would provide opportunities for developing cooperative mechanisms among states. Hence not discounting any intentions behind the proposed idea, an Indo-Pacific treaty will only be acceptable and realized if its clauses are acceptable to the smallest and the biggest player alike. Hence the challenge would be to formulate a treaty that is centred on principles acceptable to all powers but at the same time is accommodative to interests, which is only possible if the treaty would promote common area of convergence and would not overpower the ambitions and interests of major powers in the region and play a more facilitating role.

Therefore, the paper argues that given the growing challenges from the emerging geopolitical power play in the region, a treaty in the Indo-Pacific needs to be a gradual process and should be developed over a period of time. It suggests that at the current juncture confidence building measures should be

employed and the trust deficit should be bridged. The paper recommends that institutionalization of the concept is important so that there is a solid foundation to bring about a consensus for building any future cooperation in the region.

The Geopolitics of the Indo - Pacific: Different Terminologies and Security Interests

Geopolitical definitions have often found their inspiration in concepts of geography. The term Indo-Pacific similar to the other concepts finds its origin in the bio geographic regional concept of the Earth's seas, used mostly in fields such as marine biology. Though the fields are different the concept forging two oceans has caught the imagination of geopolitical analysts and policy makers in countries in the region to come up with the concept, which like the bio geographic concept embraces the two oceans i.e. the Indian and the Pacific Oceans (Briggs, 1995). The Indo-Pacific has been used by various government functionaries of the United States but first picked up traction with its mention in the Australian Defence White Paper which specified the importance of the arc running from India to Japan via Indonesia for Australia (Department of Defence, 2013). Similarly, it has also been conceptualized as an emerging Asian strategic system that encompasses both the Pacific and Indian Oceans, defined in part by the geographically expanding interests and reach of China and India, and the continued strategic role and presence of the United States in both (Medcalf, 2012).

The Indo-Pacific's predecessor, the Asia Pacific which has been widely used in the realm of strategic studies has conflicting definitions. For instance, the UNESCAP defines the Asia Pacific as a

region is made up of 53 Member States and 9 Associate Members, with a geographical scope that stretches from Turkey in the west to the Pacific island nation of Kiribati in the east, and from the Russian Federation in the north to New Zealand in the south (UNESCAP). Moreover the Asia Pacific Economic Cooperation (APEC) which again was a brainchild of Australia in the 1980's comprises of almost all of the Pacific Rim countries but excludes India. India had been kept away from APEC due to its prevailing economic situation. A ten year moratorium which was put in place also expired but India was still denied a membership in APEC. The newly evolving trade pacts such as the TPP, which was criticised by a number of scholars and policy practitioners including at the hearing before the subcommittee on trade of the committee on ways and means U.S. house of representatives in March 2013 for the lack of considering the inclusion of India (The Committee of Ways and Means, 2013).

Even though, the US Department of State perceives the regions of East Asia and the Pacific and South Asia as different realms of its operations and provides the Asia Pacific strategy to the East Asia and the Pacific Bureau (US Department of State), the United States Pacific Commands' area of operation stretches from about half the earth's surface, from the waters off the west coast of the U.S. to the western border of India, and from Antarctica to the North Pole (US Navy Pacific Command). Despite the overlapping definitions, the usage of the terminologies describes the intent, perceptions and calculations of different states in the region. The shift from the Asia Pacific to the usage of the term Indo-Pacific has great significance. It signals the changing dynamics of regional power calculations. Hence, it must be seen

whether the Indo-Pacific region, can combine the total resources and balance the power relations in the region.

The Australian vision was also supported by the Japanese assertion of the "Confluence of two seas" (Abe, 2007). The two Seas's which Shinzo Abe explained in his speech at the Indian Parliament were the Indian and the Pacific Ocean's, metaphorically highlighting the growing convergence between India and key states such as Japan in the Pacific.

Though there is a wide gamut of support, there has also been a widespread criticism of the Indo-Pacific construct. While it has been argued from an Australian perspective that there isn't a sufficient concentration of risks or of contested interests for the Indo-Pacific to be a useful inclusion into Australia's strategic construct (White, 2013), the Indian arguments have been more concentrated in and around preserving the country's strategic autonomy including its ability to manoeuvre between China and the United States (Scott, 2012) (Gupta, 2011).¹

Though there might not be tacit usage of the terminology, there is acceptance of the terminology at the highest echelons of power in the respective capitals. In India, the term has been used even by former PM Manmohan Singh at the India-ASEAN Summit in 2012 (Ministry of External Affairs, 2012). The term has been widely used by Japan

¹ While one set of arguments that are critical cite the issues of the Indo-Pacific construct driving India too close to the US ambit, the other set argues about the relations with China could be disturbed if this term become the operational framework. It has also been argued that the change in foreign policy priorities of the US should not dictate India's approach and the emphasis on the word "Indo" need not necessarily denote that India has the paramount importance in the Indo-Pacific construct.

as well, where former Foreign Minister Fumio Kishida used the Indo-Pacific framework to describe relations with India. While Jakarta, initiated and Idea of an Indo-Pacific Treaty of Friendship and Cooperation, China has opposed the idea calling it an American plot to contain China and it urged India to join its Indo-Pacific Geo economic plan including the Maritime Silk Route and chart its own course. It can be understood that China might have a different conceptualization of the Indo-Pacific and it is more aligned to its planning (Aneja, 2014). This instance is clearly showcasing the different opinions of major powers with regards to the issue and the emerging competition in the region.

ASEAN, Regional Consensus and Indonesia: Stability of the Indo-Pacific

ASEAN countries are strategically placed, centrally between the Indo-Pacific triangle which encompasses Japan, India and Australia. A number of years before the inception of ASEAN, the region faced with major power rivalry and intra regional disputes. Such a region in classical Geopolitics has been explained as a 'shatterbelt' (Hensel & Diehl, 1994). The issues in part were overcome by the formation of ASEAN in 1967. There have been a number of interpretations about the use of ASEAN by regional states and one has been to collectively balance the interests of major powers in the region.

The unspoken objective of ASEAN's formation, as indicated by Lee Kaun Yew was to gain strength through solidarity ahead of a power vacuum that would come with an impending British, and later a possible U.S., withdrawal. Moreover, more candidly, Lee expresses that though ASEAN declared its objectives to be placed in the economic, social and cultural realm the banding

together of member states was for more political objectives, stability and security (Yew, 2000). Hence how could small and medium states in the region be able to avoid the likes of competing superpowers? How could the stability of the crucial Sea Lines of Communication (SLOCs) be secured? For such reasons, ASEAN had to be dynamic and without the involvement of Indonesia, it was not possible to build a regional consensus.

Indonesia's role has been crucial for the region in terms of controlling the security challenges as well as the political conditions in the region. Hence, a brief understanding of the core foreign policy behaviour of Indonesia and its relations vis-a-vis ASEAN could give valuable insights into the role of Indonesia in Southeast Asia and its importance for the larger Indo-Pacific framework. Geography has been the definitive feature of Indonesia's strategic understanding of its role in regional and International affairs and indeed its role as an archipelagic state.

The Archipelagic Sea Doctrine which was also pushed for by Indonesia during the UNCLOS negotiations becomes important to understand because under this circumstance, the sea becomes in a sense a uniting factor among the various islands in the state (Hong, 2012). All these elements form a part of the nation's strategic culture. While analysing the elements of Indonesia's strategic culture it has been noted that an important consciousness that shaped Indonesia's strategic community and national elites was the idea of 'Wawasan Nusantara/ Archipelagic Outlook' (Shekhar, 2014).

Hence being an archipelago stretching between Indian and Pacific Oceans, Indonesia's focus has been largely related to the Pacific and lesser towards the Indian Ocean Region. The reasons for

this could be manifold. One could be the Suharto era initiated Foreign Policy which was more low profile, pragmatic, west friendly and ASEAN centric. This led to the weakening of ties with India, which was ideologically incompatible at that time. Second could be the economic potential of the Pacific region including the assistance and aid which the countries of the region. In the 1970's Indonesia was one of the largest recipients of Japanese aid and investments in the region. In the larger security environment another factor was that a more likely threat to the region at that time was considered more of a possibility as emerging from Mainland East Asia/ China and less from the Indian Ocean Region. The defacto US security cover in the region was another reason.

In the post transition era there has been growing relevance of Indonesia towards its Western neighbourhood. It especially became important with the growing levels of piracy in the Strait of Malacca. The Yudhoyono Administration continued a region focused foreign policy and ASEAN was still considered the corner stone of Indonesian Foreign Policy. Apart from the Piracy being a growing concern, there was also improvement in ties with India. In the ASEAN front Indonesia's chairmanship saw key developments including augmenting of the fact about why Indonesia is important for ASEAN. ASEAN was able to successfully defuse tensions between Thailand and Cambodia and for the very first time mediate between two member states and in 2012, it was at the behest of Indonesia and its Foreign Minister Marty Natagelwa that a face saving statement was issued after the failure at the ASEAN summit.

In the relations with India, President Yudhoyono visited India as the Chief Guest of India's Republic Day, one of the highest honours given in the

country to any foreign Head of State. Apart from that there was also a defence cooperation framework agreement and deeper Military to Military linkages established. Indonesia was also one of the countries which lobbied for the inclusion of India as a core member of the East Asia Summit in 2005.

However analysts have argued that there has been a shift in the policy regarding ASEAN with the administration of President Joko Widodo coming to power. While the focus on developing ties with India remains ongoing, the shift from ASEAN being "the" cornerstone of Indonesia's foreign policy to "a" cornerstone remains significant (Parameswaran, 2014).

The "Maritime Axis Doctrine" which was initiated by the Jokowi administration is also significant to note. This policy was initiated during the East Asia Forum Summit in Naypyitaw clearly highlighted the maritime importance of Indonesia as the fulcrum between the Indian and the Pacific Ocean and also focus on building relations with maritime powers such as India (Witular, 2014).

The shifting priorities of Indonesia and ASEAN will have a key impact on the Indo - Pacific. The consensus within ASEAN is also an important factor. The breakdown of the consensus in 2012 was a key reason why a strong leadership is an important factor for ASEAN's stability. Moreover, a policy of acknowledging the centrality of Indonesia to the Indo - Pacific architecture is important factor because of its strategic location. Hence the ASEAN region also been termed as the Indo - Pacific Security Connector (Santikajaya, 2013). Hence with the growing convergence of major power policies in the region, the security and the safety of the Indo- Pacific revolves around the focus on Southeast Asia.

Revisiting the Prospects for an Indo-Pacific Treaty of Friendship and Cooperation

The idea for a Treaty of Friendship and Cooperation was suggested by the former Indonesian Foreign Minister Marty M. Natelegwa at the CSIS in Washington in 2013. The proposal called for an 'Indo-Pacific Treaty of Friendship and Cooperation'. It envisaged establishing a treaty much in line with the established norms and rules or engagement which has been taking place through ASEAN and its affiliated entities (Natalegawa, 2013).

However, the responses for the same were mixed and the efficacy of the idea was questioned. The proposal has been questioned by a number of academics in Indonesia who have asked about the merit of such treaty and raised suspicions on Jakarta's leaning closeness to the United States (Sukma, 2013). Similarly, it has been argued that without the most powerful states in the 'Indo-Pacific system' backing the treaty, states will continue to rely on traditional alliance partners for protection or to provide a balance to other aggressive actors (Sambhi, 2013). While others argue that there is no guarantee that major powers will behave as Indonesia expects, nor there is a capability through which Indonesia can dictate their strategic direction. Hence the probability of such an instrument being successful is debatable (Bandoro, 2013).

Then the question that arises is that how existing mechanisms such as the 'Treaty of Amity and Cooperation' (TAC) does not aid in supplementing the same issue of security in the region. The TAC was devised on the premise of building certain norms of interaction and build cohesion amongst ASEAN members against divisive regional politics.

Therefore, though the norms of ASEAN have faltered at times regardless of accession of major powers (such as China) to the TAC, just extending the TAC for signature may not suffice the requirements for stability in the larger Indo-Pacific region. Second, there is a clear absence of China among the established architecture via the existing conceptualization of the Indo-Pacific framework. Hence any calculations will get severely restricted.

Third there is also a contention about the dilution of forums such as the East Asia Summit (EAS). On the cusp of the EAS' creation the debate ranged from including non 'East Asian Powers' (to some extent India and to a greater extent Australia and New Zealand) as core members to the inclusion of the United States and Russia, thereby questioning the core nature of the new formulation. Malaysia and especially China was worried about the EAS composition fearing the dilution but at the same time possessing an inherent fear of geopolitical marginalization (Muni, 2006). Hence considering the prevailing conditions, it would be premature at the current juncture to go ahead with a treaty but it would be a worthwhile exercise to build incremental steps towards putting one in place in the near future.

The first step would be to build trust and confidence among major powers. This proposition is a very important requisite for anything to succeed. The trust deficit which was also highlighted in the CSIS speech by Marty Natelegwa still continues to plague the region and has been a continuing phenomenon. The ASEAN Regional Forum, one of the only few security dialogue forums has been able to bring together major powers in a dialogue but there has been widespread contention about the results which it has been able to

produce. Hence, the first step would be to develop a broad based consensus on the rules of engagement in the region. A first step would be to put forth a 'Declaration of Friendship and Cooperation in the Indo-Pacific'; the declaration should espouse the various tenets of behaviour taking into account the diversity of the region.

The next step would be to institutionalise the Indo-Pacific architecture. This would be a challenging task and would require factoring in the conflicting interests of major powers in the region. In the brewing rivalry between China and the US, it would be difficult to hold together an informal and loose forum of member states and it will continue to remain a 'paper tiger' in the face of growing tensions, or worse will develop into a forum which is used to target other member states and propagate a particular point of view. This will be specifically detrimental for small and medium states and middle powers. Hence, the a new institution can only be at a consensus point of organisation which have considerable inclusion in the Indian Ocean and include the principles of ASEAN and East Asian countries such as the East Asia Summit.

In International Relations, the creation of a new region has been in relation to geopolitical aspirations and also ambitions. The Indo-Pacific concept can be argued in the same light. The conceptualization may require a more inclusive understanding if there is a need for a stable conduct of relations in the region. While great power calculations may have various characteristics that can limit conflict amongst themselves, small and medium powers will have to endure the rising vulnerabilities and the risk of escalation. Therefore, it is a valid idea to think about conceptualization that would be supported by a treaty.

Conclusion

The Indo-Pacific is still a nascent conceptualization that is being widely debated in the region. While the status quo in the region is on the path of being altered in favour of a more assertive power, the time might be right to float the idea and concretise the proposal to regulate and increase the prosperity of the region. Apart from the requirement of a consensus among major powers there will be a need to create a common understanding amongst medium and rising powers such as Indonesia, India and Australia, which are vital and important considering the strategic location and the important Sea Lines of Communication. The consideration for An 'Indo-Pacific Treaty' should not be abandoned but as suggested should be pursued by building incremental steps towards such an endeavour.

The key to sustaining the Indo-Pacific idea is the prosperity of the region by developing a cooperative framework where each county is a stakeholder and that is not a possibility without the assistance of a grouping such as ASEAN. The successes of ASEAN's ability to bring about major powers within its framework has mostly been due to the fact that major powers have found it comfortable to invest in the informal, consensus driven nature of interaction and ASEAN states' non threatening posture towards major powers. Widening the framework will help to form a basis for the Indo-Pacific institutionalization.

A number of other security and economic challenges need a consensus to be arrived on also before such a proposal is reached. At the current juncture the Indo-Pacific region is facing competing interests in both the economic and strategic realm in terms of emerging trade

blocs and overlapping security manoeuvring; hence a harmonization of interests is a pre requisite if there is a possibility of such as treaty ever taking shape. This again would depend on the confidence building mechanisms that are put in place and the pace at which institutionalization of this concept can occur.

Overall, there is a clear understanding that a treaty is not possible nor is feasible at the current moment but with the increasing influence and the shifting of possibilities there needs to be important alignments that need to be put into place so that conflict can be averted and the dividends of positive influence can be built upon. Any alignment based on ideology will be problematic unless it is intended to be that way. It would be advisable that states in the region follow a dynamic approach, as economic and security dividends will be equally beneficial for the region.

The Indo – Pacific is a conceptualization which has arrived in the cusp of time, with more debates and deliberations, along with a treaty could be seen as a feasible way to regulate the affairs in the region in the longer term. Laying foundation stones for a future treaty could be started with the declaring the intent by all stakeholders to move forward and accept the concept as a feasible option. Hence for such an outcome there needs to be strong emphasis to solve disputes that plague the region, therefore a better equipped regional apparatus will be a good initiative to begin with.

The time might be ripe to develop a mechanism that will smoothen relations among nation states in the time to come. The Indo- Pacific will develop as a major region in International affairs and no opportunity must be wasted to maintain a

stable order in the region for time to come.

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