

The 2nd Arctic/Asia-Pacific Maritime Workshop:

# SEA LINES OF COMMUNICATION SECURITY IN THE ASIA PACIFIC AND THE ARCTIC



Co-organized by the China Institute at the University of Alberta and  
the National Institute for South China Sea Studies

FRIDAY JUNE 6, 2014 BEIJING, CHINA

# BACKGROUND



Sea lines of communication (SLOC) describes the primary maritime routes between ports, used for trade, logistics and naval forces. It is generally used in reference to naval operations to ensure that SLOCs are open, or in times of war, to close them. By virtue of this definition, SLOCs hold strategic importance and geopolitical value to their users. In times of conflict, it is not unusual to find SLOCs blocked by naval powers seeking to deny their enemies of critical seaborne supplies to cripple the latter. When the great American maritime historian and scholar Alfred Thayer Mahan said “whosoever controls the sea, controls the land”, he well might have had SLOC in mind.

The international spotlight is shining on the South China Sea, where SLOCs are of immense strategic importance. Ongoing territorial and maritime disputes in the region reflect the competing interests of the claimant states. It is equally geopolitically significant to non-claimant states that rely heavily on the SLOCs in the South China Sea. The East China Sea, where Japan and China continue to face off, is an important SLOC for this region as well. The Arctic, with increasing ice melting, is seen as possessing great potential for international shipping in the future.

The first CIUA Arctic/Asia-Pacific Maritime Workshop was held in September 2011 at the University of Alberta, with the theme of “Canada, US and China Relations in Maritime Security: The Arctic and the South China Sea-Sharpener Competition or Collaboration?” An edited book titled “Maritime Security Issues in the South China Sea and the Arctic: Sharpener Competition or Collaboration?” was published in 2012 based on the conference proceeding. The proposed 2nd Arctic/Asia-Pacific Maritime Workshop will address SLOC Security in the Asia Pacific and the Arctic. It aims at producing a policy report and an edited volume from the conference proceedings.

This one-day workshop will bring scholars, government officials and representatives of navies and maritime law enforcement from Canada, China, the United States, Japan, South Korea, Vietnam, and the Philippines to discuss four dimensions of SLOC security in both the Arctic and the Asia-Pacific, namely 1) Status and Challenges of SLOC Security; 2) Different Regional Perspectives; 3) Maintaining SLOC Security in the Region: Legal Perspectives; 4) SLOC Security and Maritime Disputes: Political Perspectives; and 5) SLOC Security and Role of Navies and

Law Enforcement Agencies: Functional Perspectives. This workshop will contribute to the Canada-China Maritime Study Group, established in January 2014 between the China Institute at the University of Alberta and the National Institute for South China Sea Studies. This Study Group aims at enhancing Canada-China cooperation on maritime studies, focusing on the Arctic and the South China Sea, and on Asia Pacific in general, and will serve as

a framework under which Canadian and Chinese scholars will share their research interests and findings in a range of disciplines related to maritime studies.



# WORKSHOP AGENDA



## PANEL 1:

Status and Challenges of SLOC Security: Different Regional Perspectives

## PANEL 2:

Maintaining SLOC Security: Legal Perspectives

### 08:30-09:00 REGISTRATION

### 09:00-09:15 OPENING SESSION

Gordon HOULDEN, China Institute, University of Alberta, Canada  
WU Shicun, National Institute for South China Sea Studies, China

### 09:15-10:45 PANEL 1 STATUS AND CHALLENGES OF SLOC SECURITY: DIFFERENT REGIONAL PERSPECTIVES

#### CHAIR: Julia BENTLEY, The Embassy of Canada to China

- **Aldo CHIRCOP, Dalhousie University, Canada**  
**TITLE:** *Servicing Maritime Trade Routes in Arctic Waters: Emerging Responsibilities for Coastal States*
- **Seokwoo LEE, Inha University, Korea**  
**TITLE:** *Oil and Gas Development, Energy Security, and Maritime Disputes in the East China Sea*
- **Nong HONG, China Institute, University of Alberta, Canada/ National Institute for South China Sea Studies, China**  
**TITLE:** *China's Newly Formed Coast Guard and its Implication for Regional Maritime Disputes*

#### Q & A

### 10:45-11:00 COFFEE BREAK

### 11:00-12:30 PANEL 2 MAINTAINING SLOC SECURITY: LEGAL PERSPECTIVES

#### CHAIR: Gordon HOULDEN, China Institute, University of Alberta, Canada

- **Ted MCDORMAN, University of Victoria, Canada**  
**TITLE:** *Sealines of Communication (SLOC): The International Legal Architecture as Regards Sovereign Immune Vessels*
- **Michael Shengti GAU, Taiwan Ocean University, Taiwan**  
**TITLE:** *On Some Legal Issues Concerning Interference with Navigation: From the Perspectives of Sino-Philippine Arbitration on South China Sea Disputes*
- **ZHANG Xinjun, Tsinghua University, China**

#### Q & A

**12:30-14:00 WORKING LUNCHEON**

**14:00-15:45 PANEL 3 SLOC SECURITY AND MARITIME DISPUTES: POLITICAL PERSPECTIVES**

**CHAIR: WU Shicun, National Institute for South China Sea Studies, China**

- **James MANICOM, Centre for International Governance Innovation, Canada**  
**TITLE:** *The Politics of Disputed Maritime Space: The Disappointing Parallels between Asia and the Arctic*
- **Kazumine AKIMOTO, Ocean Policy Research Foundation, Japan**
- **TRAN Truong Thuy, Diplomatic Academy of Vietnam, Vietnam**  
**TITLE:** *Maritime Disputes and Its Implications for SLOC Security and Freedom of Navigation: A Political Perspective*
- **ZHANG Renping, Dalian Maritime University, China**  
**TITLE:** *Maritime Security in Asia Pacific, Arctic Shipping and Polar Code*

**Q & A**

**15:45-16:00 COFFEE BREAK**

**16:00-17:45 PANEL 4 SLOC SECURITY AND ROLE OF NAVIES AND LAW ENFORCEMENT AGENCIES: FUNCTIONAL PERSPECTIVES**

**CHAIR: Russ FOWLER, The Embassy of Canada to China**

- **Jay BATONGBACAL, University of the Philippines, Philippines**  
**TITLE:** *Role-playing and Role-setting: Military and Civilian Maritime Functions in a Global Maritime Social Order*
- **Jim BOUTILIER, Maritime Forces Pacific Headquarter, Canada**  
**TITLE:** *Sea Lanes of Communication Security and the Role of Navies and Law Enforcement Agencies: A Functional Perspective*
- **James KRASKA, Duke University, USA**  
**TITLE:** *Military Risk and in Asia-Pacific SLOCs*
- **XU Hui, National Defense University, China**

**Q & A**

**17:45-18:00 CONCLUDING REMARKS**



**PANEL 3:**

SLOC Security and  
Maritime Disputes:  
Political Perspectives

**PANEL 4:**

SLOC Security and  
Role of Navies and  
Law Enforcement  
Agencies: Functional  
Perspectives

# CHAIR BIOS (IN THE ORDER OF APPEARANCE)



**Gordon HOULDEN**  
Director, China Institute  
University of Alberta, Canada

Professor Houlden is the Director of the China Institute, Professor of Political Science and Adjunct Professor at the Alberta School of Business at the University of Alberta. He was born in Calgary, Alberta, and attended the University of Calgary where he received his B.A., and subsequently did graduate work at Carleton University in Ottawa, and at the University Nacional in Lima, Peru.

Professor Houlden joined the Canadian Foreign Service in 1976, and has served in Ottawa in the East Asian, China, Caribbean, Latin American and Defence Relations units. Abroad he has been posted to Havana, Hong Kong, Warsaw, and Beijing.

His last assignment before joining the University of Alberta in 2008 was as Director General of the East Asian Bureau of the Department of Foreign Affairs and International Trade.

Under Professor Houlden's leadership, the China Institute has focused on contemporary China studies, with an emphasis on Canada's trade, investment and energy linkages with the People's Republic of China.



**WU Shicun**  
President, National Institute  
for South China Sea Studies,  
China

Wu Shicun, PhD in history, is president and senior research fellow of the National Institute for South China Sea Studies, deputy director of the Collaborative Innovation Center of South China Sea Studies, Nanjing University, and vice president of the BFA Research and Training Institute.

Dr. Wu's research interests cover the history and geography of the South China Sea, maritime delimitation, maritime economy, international relations and regional security strategy. His main single-authored books include *Solving Disputes for Regional Cooperation and Development in the South China Sea: A Chinese*

*Perspective* (Woodhead Publishing, 2013), *A Study on the South China Sea Disputes* (Hainan Publishing House, 2005) and *The Origin and Development of the Nansha Disputes* (Ocean Press, 1999). His main edited books include *Maritime Security in the South China Sea* (Ashgate, 2009), *Selective Studies on World Famous Island Economic Bodies* (World Knowledge, 2006) and *Collection of Documents Relating to South China Sea Issues* (Hainan Publishing House, 2001). Dr. Wu is published widely in academic journals. He has also received frequent media interviews as senior commentator on South China Sea issues.

Julia Bentley has been Counsellor and Head of the Political Section at the Embassy of Canada in Beijing on August 2011. Her responsibilities include oversight of the Embassy's policy advice and programming related to bilateral and multilateral issues, global and regional security, governance, human rights, health, environment and Arctic issues.

Ms Bentley has over two decades of policy experience in the Canadian Department of Foreign Affairs, International Trade and Development, where she has focused on Asia and multilateral affairs. Her overseas assignments have included Taipei, Beijing (twice) and New Delhi, from which she also covered Nepal and Bhutan. Beyond her diplomatic career, she has also worked for

Born in Hamilton Ontario, Russ Fowler joined the Naval Reserve in 1977 while attending McMaster University. After earning a Bachelor of Engineering degree, he worked as an acoustical engineer until joining the Regular Force in 1982.

During the 1980s, Capt(N) Fowler served in HMCShips FRASER and OTTAWA 3. He also served in HMCS PROTECTEUR, which was the oiler replenishment ship that deployed on OPERATION FRICTION to the First Gulf War.

During the 1990s, Capt(N) Fowler commanded the junior officer training vessels HMCSMIRAMICHI and HMCS THUNDER. He also served five years as Project Director for \$750M of naval weaponry and sensor projects.

During the 2000s, Capt(N) Fowler served as Executive Officer of HMCS OTTAWA 4 and then Sea Training Pacific, where (in response to the terrorist attacks of 9-11)

the Canadian International Development Agency, including as coordinator of the Civil Society Program in China, and as director of Winrock International's NGO Capacity Building Program in China, funded by the Ford Foundation. Her work on Chinese civil society has been published in English, Chinese and Tibetan.

She holds a bachelor's degree from Princeton University and a Master's degree from the University of Toronto, both in East Asian Studies. As a scholarship recipient of the Canada-China Scholars Exchange Program, she studied history at Nanjing University.

he 'worked-up' 13 ships to prepare them for deployment on OPERATION APOLLO to the Second Gulf War. He also served as Deputy Chief of Staff for Operational Readiness in Maritime Forces Pacific, and as Liaison Officer to United States Naval Headquarters in Bahrain.

Upon return to Canada in 2005, Capt(N) Fowler served five years as Program Director for the \$4.5B modernization of Canada's 12 frigates, while concurrently earning a Master of Business Administration degree in Executive Management and Consulting. He also earned a Master's Certificate in Project Management and the Project Management Professional (PMP) designation.

In 2010, Capt(N) Fowler and his wife (Devorah) commenced two years of Mandarin language and attaché training in preparation for his current four-year appointment as Canadian Defence Attaché to China and Mongolia.



**Julia BENTLEY**  
Counsellor and Head of the Political Section, The Embassy of Canada to China



**Captain Russ FOWLER**  
Defence Attaché, The Embassy of Canada to China

# SPEAKER BIOS & ABSTRACTS



## **Aldo CHIRCOP**

Professor of Law , Schulich School of Law, Dalhousie University, Canada

### **Brief Bio:**

Aldo Chircop received a Doctorate in the Science of Law (JSD) from Dalhousie University in 1988. He is Professor of Law at the Schulich School of Law and a member of the Nova Scotia Bar. He was formerly Chair in Marine Environment Protection at the IMO's World Maritime University in Malmö, Sweden and held directorships of the Marine Affairs Program and Marine & Environmental Law Institute at Dalhousie, and International Ocean Institute and the Mediterranean Institute in Malta. His current research programme includes comparative Arctic policy, the international regulation of international shipping and navigation in the Arctic, and comparative Canadian-Russian regulation of shipping in the Northwest Passage and Northern Sea Route respectively. Professor Chircop is a member of the International Working Group on the Arctic and Antarctic of the Comité Maritime International. Professor Chircop has co-authored or co-edited over 20 books and 80 articles and book chapters. Professor Chircop is recipient of awards in book publication, teaching and distinguished service to graduate studies at Dalhousie.

### **Title:**

Servicing Maritime Trade Routes in Arctic Waters: Emerging Responsibilities for Coastal States

### **Abstract:**

In recent years there has been a discernible increase in intra- and inter-regional navigation and shipping in the Arctic Ocean within the jurisdiction of

the five coastal States of the region (Canada, Denmark/Greenland, Norway, Russian Federation, United States). In particular, the Russian Northern Sea Route is experiencing the emergence of a new international maritime trade route used by shipping interests in many States around the world. In the Canadian Northwest Passage there has been a less pronounced increase in traffic, especially for commercial purposes, but use of those waters includes cruising and recreational purposes. The increase in shipping in the Russian and Canadian Arctic is occurring at a time when the infrastructure to support shipping is insufficient, such as lack of adequate ports, ice-breaking capacity, navigation aids, up-to-date charts, search and rescue cover, professional salvage services and places of safety for distressed vessels. Thus, in addition to the well-known hazards of Arctic shipping, there is the additional concern of lack of support services. There have already been a number of navigational incidents which can be attributed to infrastructural gaps or failures, such as groundings due to lack of up-to-date charts and navigation aids. Rather than raising issues for sea lines of communication (SLOCs) issues, this presentation suggests that a more far-reaching concern is maritime safety and its legal implications. It discusses potential responsibility and civil liability exposure that Arctic States risk in encouraging international usage of Arctic routes at a time when they are not sufficiently serviced.



(IN THE ORDER OF APPEARANCE)

**Brief Bio:**

Seokwoo LEE is Professor of International Law and Vice Dean for External Affairs, Inha University Law School, Korea, where he is also working as Director of Inha Int'l Ocean Law Centre. He is also Chairman of the Foundation for the Development of International Law in Asia (DILA) and Executive Editor of The Korean Journal of International and Comparative Law.

Prior to taking his current post at Inha, he conducted research at a number of universities including the Universities of Tokyo, Harvard, Georgetown, Oxford, Durham, and George Washington, and taught at Xiamen University, China (2009) and the University of Hawai'i at Mānoa, USA (2013). He served as Chairman of Research Committee, SLOC (Sea Lanes of Communication) Study Group-Korea (2010-2013) and Director of International Relations, Korean Society of International Law (2010-2011).

He has authored more than 50 publications in English in addition to his more than 50 publications in Korean.

He holds a D.Phil. (Oxford), LL.M.s (NYU, Minnesota, and Korea University), and LL.B. (Korea University). His research focuses on Territorial and Boundary Disputes, Law of Title to Territory, Law of the Sea, and International Human Rights Law.

**Title:**

Oil and Gas Development, Energy Security, and Maritime Disputes in the East China Sea

**Abstract:**

The East China Sea holds great potential to serve the energy needs of the states in the region. However, ever since it was reported that oil and gas reserves were likely to be found in the seabed, the East China Sea has been marked by bitter maritime disputes and even military tensions. To make matters worse, relatively little oil and gas has been exploited by the states in the area, at least compared to the initial hopes and glowing 1968 survey reports.

The largest barrier to more fruitful exploration and exploitation of these oil and gas resources is the dispute over maritime boundaries. The regional states must fully embrace their obligations under articles 74 and 83 of the 1982 UNCLOS to seek in practical "provisional arrangements," such as joint development zones, in the meantime. Further cooperation between China, Japan, and the Koreas is vital in this regard.



**Seokwoo LEE**  
Professor of International Law and Vice Dean for External Affairs, Inha University Law School, Korea

# SPEAKER BIOS & ABSTRACTS



## **Nong HONG**

Research Fellow, China Institute, University of Alberta, Canada

Director, Research Center for Oceans Law and Policy, National Institute of South China Sea Studies, China

### **Brief Bio:**

Dr. Nong HONG holds a joint position as the research fellow with the China Institute at the University of Alberta (CIUA) and the Director of the Research Center for Ocean Law and Policy at the National Institute for South China Sea Studies (NISCSS). Dr. Hong received her PhD in interdisciplinary study of international law and international relations from the University of Alberta, Canada and held a Postdoctoral Fellowship with the CIUA subsequently. She was ITLOS-Nippon Fellow for International Dispute Settlement (2008-2009), and Visiting Fellow at the Center of Oceans Law and Policy, University of Virginia (2009) and at the Max Planck Institute for Comparative Public Law and International Law (2007). Her research takes an interdisciplinary approach to examining international relations and international law, with a focus on international relations and comparative politics in general; ocean governance in East Asia; law of the sea; international security, particularly non-traditional security; and international dispute settlement and conflict resolution. Her most recent publications include *UNCLOS and Ocean Dispute Settlement: Law and Politics in the South China Sea* (Abingdon, New York: Routledge, 2012); and *Recent developments in the South China Sea Dispute*, co-edited with Wu Shicun (Routledge, 2014).

### **Title:**

China's Newly Formed Coast Guard and Its Implication for Regional Maritime Disputes

### **Abstract:**

The Chinese government announced in March 2013 its plan to centralize bureaucratic control over its maritime law enforcement agencies. The reform is now encountering different challenges within the state and from the region. Suspicion within the state itself arises from the difficulty and obstacles in terms of bureaucratic reconciliation among separate agencies. There are two-faced reactions from the neighboring states that are now in dispute with China on territorial and maritime jurisdiction. Some welcome this move as it is assumed that a united civilian agency performing law enforcement activities instead of navies will lessen the instances of military conflict at sea. Others question the possible strategic implications of China's assertiveness for pursuing its interests in the territorial and maritime disputes in the East and South China Sea.

This paper analyzes China's maritime law enforcement status before the reform and discusses the change and challenge arising from this reform. It goes on to a fundamental question on the role of civilian law enforcement agencies in territorial and maritime claims in this region, applying the East China Sea and the South China Sea as two case studies, followed by an analysis of the strategic and security impact in this region from China introducing its maritime law enforcement structural reform.

## (IN THE ORDER OF APPEARANCE)

### **Brief Bio:**

Professor McDorman is a Professor in the Faculty of Law at the University of Victoria in Victoria, British Columbia, Canada. Before joining the University of Victoria in 1985, Professor McDorman was at Dalhousie University in Halifax, Nova Scotia with the Dalhousie Oceans Studies Programme (DOSP). For almost 20 years (1984-2002), Professor McDorman was involved with the Southeast Asian Ocean Law, Policy and Management Programme (SEAPOL) centered in Bangkok, Thailand and through this project had the opportunity to study and write about numerous Southeast Asian ocean law and policy issues.

From 2002-2004 and again from 2011 to 2013, Professor McDorman was “academic-in-residence” in the Legal Affairs Branch of the Canadian Department of Foreign Affairs and International Trade where he was involved in a number of Arctic, law of the sea and environmental matters and represented Canada at several international forums.

Professor McDorman and has over 120 publications in the areas of ocean law and policy, international trade law and comparative constitutional law. Since 2000, he has been the editor-in-chief of Ocean Development and International Law.

### **Title:**

Sealines of Communication (SLOC):  
The International Legal Architecture as  
Regards Sovereign Immune Vessels

### **Abstract:**

The international law conversation respecting sealines of communication (SLOC) starts with the 1982 U.N. Convention on the Law of the Sea and involves navigational rights such as: innocent passage in territorial seas and transit passage in international straits; and freedom of navigation within the exclusive economic zone (EEZ) and on the high seas. The vessels relying on these rights and freedoms are either military vessels (sovereign immune vessels) or merchant/commercial vessels (with the latter including fishing vessels and pleasure craft). The focus in this presentation will be on the immunities, responsibilities and exemptions that exist (or are argued to exist) in the international law of the sea in the relationship between coastal States and sovereign immune vessels. These matters are of direct relevance to the South China Sea where there have been occasional “incidents” and some “differences of views” involving navigational freedoms and rights and sovereign immune vessels (warships).



**Ted MCDORMAN**  
Professor, Faculty of Law,  
University of Victoria,  
Canada

# SPEAKER BIOS & ABSTRACTS



**Michael Sheng-ti GAU**

Professor, Institute of Law of the Sea, National Taiwan Ocean University, Taiwan

**Brief Bio:**

Prof. Michael Sheng-ti Gau has degrees of LL.B. (National Taiwan University), LL.M. (Cambridge), LL.M. (London), and Ph.D. (Leiden) all specialized in public international law. He is teaching at Institute of Law of the Sea in National Taiwan Ocean University. Professor Gau has been legal advisor for and commissioned by Ministry of the Interior, Fishery Agency of Council of Agriculture, Ministry of Economics, Ministry of Health, and Ministry of Foreign Affairs on numerous research projects on law of the sea legal issues, negotiations in Regional Fisheries Management Organizations like ICCAT, SPRFMO and WCPFC, as well as WTO fishery subsidies negotiations, and Taiwan's participation in IGOs like ICAO, OIE, WHO etc. For the past 6 years, Professor Gau has been focusing on outer continental shelf, CLCS and the South China Sea legal issues, with publications of quite a few articles at Ocean Yearbook, Ocean Development and International Law, Chinese Journal of International Law, Journal of East Asia and International Law, etc.. Professor Gau has been National Administrator for the Taiwan Regional Round of the Philip C Jessup International Law Moot Court Competition (2000-2012). He is involved in aircraft accident investigations in Taiwan that between 1998 and 2000 he was the head of legal department for the Aviation Safety Council of the Executive Yuan. Since 2004 he has been appointed by the Prime Minister as a ASC Board Member, and from 2012 the Vice-Chairman. Dr. Gau is married and lives by the mouth of Tam-sui River in Taipei.

**Title:**

On Some Legal Issues concerning Interference with Navigation: From the Perspectives of Sino-Philippine Arbitration on South China Sea Disputes

**Abstract:**

One of the claims made by the Philippines against China in the recently initiated arbitration under Section 2 of Part XV of UNCLOS is concerning China's interference with the freedom of navigation of Philippines' vessels in the waters close to Scarborough Shoal. Such kind of complaints has been raised by other States for the waters in the South China Sea. The 1972 Convention on the International Regulations for Preventing Collisions at Sea (COLREG 1972) has been used by the Philippines against China in this arbitration. However, in the Arbitral Tribunal established under Annex VII to the UNCLOS, that is the Tribunal set up to address the Sino-Philippine Dispute on the South China Sea, what will be examined will not be limited to the COLREG 1972. One of the preliminary legal issues is whether the Tribunal has jurisdiction to settle this particular dispute concerning interference with navigation taking, inter alia, COLREG 1972 as the legal basis. If the Tribunal has no jurisdiction to address this issue, then the first chance for such issue to be resolved by the third-party judicial settlement will be lost. This presentation will focus on such preliminary issues and to evaluate the efficacy of choosing Annex VII-Tribunal as the dispute settlement forum.

(IN THE ORDER OF APPEARANCE)

**Brief Bio:**

Dr. Xinjun Zhang is an Associate Professor of Public International Law at Tsinghua University, Beijing. His research interests include the Law of the Sea, International Environmental Law, Non-proliferation Law and the Law of Treaties. He is the Executive Director of the Center for the Law of the Sea Study in Tsinghua Law School, also a member of International Law Association (ILA), participating ILA Committee on the Legal Principles relating to Climate Change.



**Xinjun ZHANG**  
Associate Professor of  
Public International Law,  
Tsinghua University, China

# SPEAKER BIOS & ABSTRACTS



## **James MANICOM**

Research Fellow, Global Security & Politics Program, Centre for International Governance Innovation, Canada

### **Brief Bio:**

James Manicom is a Research Fellow in the Global Security & Politics Program at the Centre for International Governance Innovation in Waterloo, Canada. He is the author of *Bridging Troubled Waters: China, Japan and Maritime Order in the East China Sea* (Georgetown University Press, 2014). His research interests include maritime and territorial disputes, maritime security and the international relations of the Asia-Pacific. He has held fellowships from the Social Science and Humanities Research Council of Canada and the Japan Foundation. He has recently published in the *Journal of Strategic Studies*, *Asia Policy*, *Polar Record* and *Geopolitics*.

### **Title:**

The Politics of Disputed Maritime Space: The Disappointing Parallels between Asia and the Arctic

### **Abstract:**

Maritime space is important for a number of intrinsic reasons. The ocean is a vital source of protein, energy and minerals for economies worldwide. Above all, the freedom of ocean passage has underwritten global capitalism for the last 600 years. Regrettably, some states derive other “functions” (Blanchard 2005) from disputed maritime space, more relational in nature, including political legitimization. This was initially thought to be a function of

a state’s maturity. Recently independent states were thought to be more apt to appeal to the base nationalist narratives that come with disputed space (Blanchard 2003). It followed that more mature – or postmodern – states that had a more secure sense of national identity could resist the temptation to appeal to these base nationalist ideals. Canadian policy in the Arctic and Japanese policy in East Asia suggest these expectations have fallen short. Indeed, despite its own pretensions of a ‘developing country’ China remains a civilization that is 5000 years old and retains a sense of self that should be able to transcend the primitive desires associated with territorial disputes. This paper compares the way policymakers in Canada, China and Japan frame the stakes in maritime boundary disputes. It argues that there is little difference between ‘mature’ and ‘immature’ states where disputed maritime space is concerned. This is unequivocally bad news for the future of sea lane and regional security in East Asia and the Arctic in the coming years.

## (IN THE ORDER OF APPEARANCE)

### **Brief Bio:**

As a Retired Rear Admiral of the Japan Maritime Self-Defense Force (JMSDF), Kazumine Akimoto is now the Senior Research Fellow at the Ocean Policy Research Foundation.

Rear Admiral Kazumine Akimoto is a graduate of the Chiba Institute of Technology. His service career began in 1967, when he joined the JMSDF. After completing the Command and Staff Course at the Maritime Staff College, he held several positions in the Maritime Staff Office (MSO) and the Operation Evaluation Office. Positions held include: Liaison staff with Patrol and Reconnaissance Force US 7th Fleet; Head, Flight Research and Development Division VX 51; Chief, Intelligence Section of the MSO Intelligence Department; Chief of Staff, Fleet Air Wing. Rear Admiral Kazumine Akimoto became a senior researcher at the National Institute for Defense Studies at the Japan Defense Agency (Ministry of Defense) in 1995. He retired from JMSDF and resigned from the National Institute for Defense Studies in 2000.

### **Abstract:**

It causes catastrophic damage to the world economy if the vital sea lanes are stopped. The Ocean Policy Research Foundation conducted a study in 2013 which analyzed the quantitative economic losses in the case when oil tankers transporting from the Middle-East to Japan had to detour from the South China Sea to the Malacca-Singapore Strait on account of the severe inter-

national dispute. In this case, shipping industries suffered loss about three hundred million U.S. dollars a year. If it brings about sudden rise in the oil cost, the nation might suffer loss about nine U.S. billion dollars a year. Further, the stock price may go down 10 percent or more for 2 or 3 years. It is easily assumed that People Republic of China and Republic of Korea should suffer some amount of economic losses and energy shortage.

As the global warming accelerated, sea lanes in the Arctic Ocean would be permanently opened through a year. If the sea routes are developed in the Arctic Ocean, we will have a sea lane going around the Eurasian Continent, which gives life to the global economy more and more. On another view, it means that sea transportation may become more vulnerable if we do not try to stabilize the security environment of the seas in the Arctic Ocean.

Recognizing "Freedom of Navigation" is the top agenda for its security policy, Japan is promoting foreign and defense policy for stabilizing the security environment of the seas along the sea lanes in cooperative and comprehensive ways.



**Kazumine AKIMOTO**  
Senior Research Fellow,  
Ocean Policy Research  
Foundation, Japan

# SPEAKER BIOS & ABSTRACTS



## **TRAN Truong Thuy**

Director, Foundation for East Sea (South China Sea) Studies, Diplomatic Academy of Vietnam, Vietnam

### **Brief Bio:**

Dr. Tran Truong Thuy is Director of the Foundation for East Sea (South China Sea) Studies at the Diplomatic Academy of Vietnam (DAV). Before joining the DAV, he worked as a policy analyst at the Ministry of Foreign Affairs of Vietnam. His research is focus on regional security and maritime issues in Asia. He has written quite extensively on maritime issues and contributed several reports and policy recommendations on the South China Sea issues. He is editor and co-author of *Disputes in the South China Sea: History, Present and Prospects* (Diplomatic Academy of Vietnam, 2009, in Vietnamese), editor of *The South China Sea: Cooperation for Regional Security and Development* (Hanoi, Thegioi Publisher, 2010, in English); *The South China Sea: Towards a Region of Peace, Security and Cooperation* (Hanoi, Thegioi Publisher, 2011, in English) and editor (with John Jenner) of *The South China Sea: Sovereignty-based Conflict or Regional Cooperation?* Cambridge University Press, 2014 (in press).

### **Title:**

Maritime Disputes and Its Implications for SLOC Security and Freedom of Navigation: A Political Perspective



(IN THE ORDER OF APPEARANCE)

**Brief Bio:**

Professor Renping Zhang, currently is the Director of the Centre for International Maritime Convention Studies, at Dalian Maritime University, China. Professor Zhang has been engaged in maritime education and study of maritime conventions over 30 years, his main research and study areas include: maritime communication, maritime safety, marine environment protection, and maritime security.

Professor Zhang has published several books on maritime conventions and their implementations, he has also published some papers on the related topics.

From 2005 to 2011, Professor Zhang was working in the Chinese Embassy in London, responsible for the matters of the International Maritime Organization (IMO), International Maritime Satellite Organization (IMSO), and the International Oil Pollution and Compensation Funds (IOPC Funds). During that time, Professor Zhang was mainly dealing with IMO's Assembly, Council, Maritime Safety Committee, Marine Environment Protection Committee, and Legal Committee, etc.

**Title:**

Maritime Security in Asia Pacific, Arctic Shipping and Polar Code



**Renping Zhang**  
Director, Centre for  
International Maritime  
Convention Studies,  
Dalian Maritime  
University, China

# SPEAKER BIOS & ABSTRACTS



**Jay BATONGBACAL**  
Director, Institute for  
Maritime Affairs and Law  
of the Sea, University  
of the Philippines,  
Philippines

## **Brief Bio:**

Dr. Jay Batongbacal is presently among the Philippines' few legal scholars in the Law of the Sea, with Master of Marine Management and Doctor in Jurisprudential Science degrees from Dalhousie University (Canada). Since 1997 he has undertaken research and engaged in numerous projects on a diverse range of national and international maritime issues, including community-based coastal management, international maritime boundary delimitation, shipping, ports, seafaring, high-seas fishing, maritime security, marine technology transfer, and off-shore energy exploration and development. He was the legal advisor of the Philippine team that successfully secured recognition by the Commission on the Limits of the Continental Shelf (CLCS) of the Philippines' continental shelf beyond 200 nautical miles in the Benham Rise Region, and is listed as one of the UNESCO/IOC Experts for Special Arbitration (Marine Scientific Research) under Annex VIII of the UN Convention on the Law of the Sea. He presently teaches at the University of the Philippines College of Law, and is the Director of the Institute for Maritime Affairs and Law of the Sea, a research institute of the UP Law Center established to undertake independent legal and policy research on matters concerning domestic and international maritime issues.

## **Title:**

Role-playing and Role-setting: Military and Civilian Maritime Functions in a Global Maritime Social Order

## **Abstract:**

The UN Convention on the Law of the Sea (UNCLOS) established the basic framework for a global maritime social order that continues to expand and evolve. It is natural to expect that the many aspects of inter-state relations not yet adequately covered by the rules of UNCLOS will become points of contention among coastal and user States probing the limits of acceptable and non-acceptable conduct at sea. The maritime conduits of State power are either navies or maritime law enforcement agencies: it may be expected that the usage of these instruments by coastal or user States will likely be the common triggers of debate and deliberation. This paper will explore how military and civilian maritime forces have tended to be used in relation to the security of sea lines of communications, assess their advantages and disadvantages, and attempt to identify a suitable balance of roles and responsibilities that can contribute to the improvement of law and order at sea.

(IN THE ORDER OF APPEARANCE)

**Brief Bio:**

Dr. James Boutlier is the Special Advisor, International Engagement at Maritime Forces Pacific Headquarters, Canada's west coast naval formation, in Esquimalt, British Columbia. Dr. Boutlier attended Dalhousie University (BA History, 1960), McMaster University (MA History, 1962), and the University of London (PhD History, 1969). Dr. Boutlier has held posts at various universities throughout his career, including the University of the South Pacific in Suva, Fiji, Royal Roads Military College in Victoria, British Columbia and the University of Victoria. Dr. Boutlier's field of expertise is Asia-Pacific defence and security. He published RCN in Retrospect in 1982 and has written extensively on maritime and security concerns. He lectures nationally and internationally on political, economic, and global security developments.

**Title:**

Sea Lanes of Communication Security and the Role of Navies and Law Enforcement Agencies: A Functional Perspective

**Abstract:**

The rapid evolution of a high-intensity export-led economy in China has dramatically altered Chinese perceptions of the importance of the maritime realm, not only in terms of the movement of commercial cargoes, but of the value of the People's Liberation Army Navy (PLAN) as an instrument of

state power. Central to those perceptions is the existential part played by Sea Lanes of Communication (SLOCs). SLOCs are the oceanic highways along which commerce and energy flow; the latter being vitally important to the sustained growth of the Chinese economy.

At the same time, China's geostrategic horizons have continued to expand. National SLOCs became more diverse and attenuated, and the Chinese, having embraced Mahan's dictum that great nations have great navies, sought to utilize the PLAN to monitor the integrity of the sea lanes. Some of these lanes, however, run through increasingly contested oceanic areas where the maritime environment is brittle and Beijing has found itself increasingly at odds with regional navies, large and small.

Prudence would seem to dictate that those navies - buttressed by their coast guards and related maritime law enforcement agencies - would work together to foster good order at sea. This presentation examines the challenges involved in realizing that goal in practice. Differing naval cultures, divergent interpretations of maritime law, historical frictions, and conflicting national agendas make it particularly difficult, from a functional perspective, to guarantee the security of regional SLOCs.



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# SPEAKER BIOS & ABSTRACTS



## **James KRASKA**

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USA

### **Brief Bio:**

Dr. James Kraska is a McCurdy Visiting Scholar at Duke University Marine Laboratory. In August 2014, he begins in the position of Professor in the Stockton Center for the Study of International Law at the United States Naval War College, where he served as Howard S. Levie Chair in International Law from 2008-13.

He earned a master of arts in foreign affairs and defense policy from Claremont, a professional doctorate in law from Indiana University, Bloomington, and a master of laws and research doctorate in law from University of Virginia.

### **Title:**

Military Risk and in Asia-Pacific SLOCs

### **Abstract:**

This contribution identifies current and projected force structure, doctrine, and operations among the major fleets and naval air forces of the region within the context of maritime strategies and SLOCs in order to assess military risk.

The security of sea lines of communications (SLOCs) in the Asia-Pacific is a function of a complex strategic ecosystem that stretches from the Persian Gulf and Arabian Sea to the Eastern Pacific, the Bering Strait to the Panama Canal. Throughout this vast area, the structure of international security and stability is dependent on the actions of four great powers – India, China, Japan, and the United States. Only these four states have demonstrated a determination and naval capability to quickly and effectively shape, and forcefully adjust,

the strategic and political seascape along this maritime arc. These states drive the strategic context of the Indo-Pacific; SLOC security is in their hands. Consequently, it is useful to explore the trajectory of naval capabilities and maritime strategies among them in order to identify areas of future complement, concert, and conflict.

This vast area is crossed by the busiest shipping routes in the world that encompass numerous geographic and juridical straits, including the Strait of Hormuz, the Straits of Malacca and Singapore, the Tsushima (Korea) Strait, Taiwan Strait, Luzon Strait, La Perouse Strait. The straits connect a network of inland, semi-enclosed, and narrow seas, including the Andaman Sea, Bay of Bengal, South China Sea, Sulu Sea, East China Sea, Sea of Japan, and the Bering Sea.

This is the world's largest expanse of maritime space, and even the four major maritime powers of the Indo-Pacific lack the ability individually or in combination, to effectively control it. Although the big four maritime states operate within the strategic boundaries set by the other great powers, they also must contend with the maritime actions of the medium and smaller powers that can create strategic effects. These states include Iran, North and South Korea, Vietnam, and Australia. Russia, a great power in the West, maintains a passive and defensive posture as a medium maritime power in the East. Yet even smaller maritime powers, such as Pakistan, Singapore, Indonesia, Malaysia, and the Philippines, can exert power in the littoral space around them, complicating the strategic environment.

(IN THE ORDER OF APPEARANCE)

**Brief Bio:**

Senior Colonel Xu Hui is a professor and deputy commandant of the College of Defense Studies (CDS) and Director of the Center for International Security and Defense Studies (CISDS) at the National Defense University (NDU) of the People's Liberation Army in Beijing. He also serves as Deputy Secretary General of the Chinese Association of World Military Studies, executive member of the Board of the Chinese Association of American Studies, and the Editor in Chief of CDS's Defense Forum magazine.

He studied in a military academy, the Army Commanding School and the National Defense University of China successively, and received his Ph.D. in political science from the Chinese Academy of Social Sciences. In addition to his current post, he served in the field troops of the Army and Navy as commander and staff officer respectively.

His scholarly interests cover Military Strategy of the US and China, China's Defense and Foreign Policy, Sino-American relations, Asia-Pacific Security, and crisis management. His latest publications include Crisis Management Theory and case studies; US Foreign Policy in the post Cold War Period; National Security and Defense Policies of Foreign Countries in the beginning of 21st Century, and "The US Military Transparency Policy and its Impact on China".



**XU Hui**  
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# ABOUT CIUA



The China Institute at the University of Alberta (CIUA) was established in the fall of 2005 with an endowment fund of C\$37 million from the Government of Alberta. The endowment is to match the appraised value of The Mactaggart Art Collection, donated to the University of Alberta Museums by local philanthropists Sandy and Cécile Mactaggart, under an agreement by the University that the funds so obtained, would be used to create the China Institute, dedicated to enhancing understanding between Canada and China.

CIUA's mission is to promote scholarship of China at the University of Alberta, to enhance and support new research and teaching activities between Canada and China, and to promote cultural, scientific, and business exchanges.

CIUA's vision is to become known in China and internationally as a unique Canadian enterprise that stimulates outstanding China-related teaching and research initiatives and interdisciplinary collaboration with the University of Alberta. Spanning a wide range of disciplines, the Institute encourages the participation of undergraduate and graduate students, post-doctoral fellows, staff, and faculty from the University of Alberta and Chinese institutions.

CIUA is a board-governed organization, which reports to the Provost and Vice-President (Academic) of the University of Alberta. The director of the CIUA is Prof. Gordon Houlden, a specialist of Chinese and Asia Pacific affairs.

CIUA works with its campus partners to promote China-related activities at the University of Alberta. Current research focus of the China Institute is on rapidly evolving role of China in trade, energy, investment and foreign affairs in Canada, China, and in third countries. Particular focus is placed on Canada-China relations.

The major areas of activities include: seminars and lecture series on a variety of topics related to modern China's economics, diplomacy and history; scholarly exchange program; research on Chinese politics, economy, society, and energy. Recent conferences organized by the China includes: the Public Policy Dimensions of Chinese Investment in Canada, Maritime Security Issues in the South China Sea and the Arctic and China and Canada in Africa.

# ABOUT NISCSS

The National Institute for South China Sea Studies (NISCSS) is a research institution dedicated to the study of the South China Sea. The NISCSS has come a long way since its founding as the Hainan South China Sea Research Center in 1996; it was elevated to the national level in 2004 and then expanded further into the premises it occupies

today. Over the past years, the NISCSS has grown into an influential think tank on South China Sea studies both in and out of China.



# SEA LINES OF COMMUNICATION SECURITY IN THE ASIA PACIFIC AND THE ARCTIC

**The 2nd Arctic/Asia-Pacific Maritime Workshop Co-organized by  
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