

**REPORT OF ARF EEP's WORKING GROUP ON PREVENTING AND  
MANAGING MARITIME INCIDENTS  
(Version 5 dated 2 March 2017)**

**BACKGROUND**

1. In response to a request from ARF Ministers, the ARF EEPs at their Tenth Meeting in Singapore from 29 February-2 March 2016, agreed to establish an open-ended working group of ARF EEPs and other experts to conduct a study of lessons learnt and best practice with regard to preventing and managing incidents at sea. Australia and Singapore offered to co-chair the group with a secretariat provided by the S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore.
2. The aim of the study was to develop a list of lessons-learnt and best practices on procedures concerning maritime incidents in the region with a view to recommending what action might be possible to improve on current agreements and arrangements. The scope of this study is the seas surrounding ARF member countries in Asia. Effectively therefore this means the waters of Northeast, Southeast and South Asia.

**EXECUTIVE SUMMARY**

3. The working group reviewed existing regional agreements and arrangements for managing and preventing maritime incidents. It found that while non-binding multilateral agreements are more commonly used in the region, binding agreements are more desirable, particularly at a bilateral level between neighbouring countries, including in situations where maritime boundaries have not been agreed or a sovereignty dispute exists. Other lessons learnt include the importance of professional expertise, personal relations, exercises and regular consultations that help build the trust necessary for the management and prevention of maritime incidents.
4. The working group identified a need for arrangements that cover both military units and ships and aircraft operated by coast guards or other civil agencies. These units can all encounter each other at sea. One requirement is for navies to be able to communicate with coast guard vessels through an agreement similar to the Code for Unplanned Encounters at Sea (CUES), and here the working group noted that the WPNS has work underway to address this requirement. Another requirement is for an agreement to help manage and prevent maritime incidents involving vessels and aircraft, including fishing vessels, which might occur in the region.
5. Issues with taking forward arrangements for managing and preventing maritime incidents arise both because countries have different national arrangements for managing their maritime interests and because several different regional forums exist that address relevant issues. Recommendations of the working group address these issues and related matters. The full list of lessons learnt and best practice, and the recommendations from the working group are included at the end of this report.

## REPORT

### Conduct of Study

6. The list of current agreements and other arrangements considered by the working group is at Annex A. Detailed comments on these items were received from the Philippines and Vietnam listing their mainly bilateral agreements and other arrangements, involving their navies and coast guards, for managing and preventing incidents at sea.

7. Several developments occurred during the course of the study that were relevant to it, particularly calls for the expansion of the CUES, which had been agreed by the Western Pacific Naval Symposium (WPNS), to coast guards and other maritime law enforcement agencies.<sup>1</sup> These developments are summarised in Annex B. The regional forums listed in Annex C all address issues relevant to this study. However, the memberships of these various forums are different, leading to differing approaches to maritime issues.

8. The study was conducted by email, including by a questionnaire to solicit views of members and other experts on the issues under consideration. One meeting was held in Canberra on 27 February 2017 to discuss and agree the report of the working group.

### Issues for Consideration

#### Nature of Agreements

9. The working group considered the advantages and disadvantages of binding agreements vis-à-vis non-binding ones. Existing agreements are mostly voluntary and non-binding. The list of agreements in Annex A contains instruments that are very different in legal nature.

10. Bilateral instruments are more likely to be binding than multilateral ones. As indicated by the detailed responses from the Philippines and Vietnam, there are many examples in the region of bilateral agreements between neighbouring countries, including ones dealing with search and rescue (SAR) and joint or coordinated patrols. These suggest that bilateral agreements are more achievable than multilateral ones.

11. Bilateral agreements between neighbouring countries to prevent and manage maritime incidents in their adjacent waters are particularly important, including in situations where maritime boundaries have not been agreed. Such agreements are in accordance with Articles 74 and 83 of the 1982 UN Convention on the Law of the Sea (UNCLOS), that requires states without agreed maritime boundaries to make every effort to enter into provisional arrangements of a practical nature pending final agreement on their maritime boundaries.

12. Binding and non-binding agreements tend to be different in nature. While binding codes would be more effective, they are difficult to achieve. Non-binding arrangements, such as CUES, may provide the basis for practical and realistic cooperation between agencies of

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<sup>1</sup> The term “coast guard” describes a national maritime force, other than a navy, with responsibility for policing at sea. As shown by names of forces such as the Malaysian Maritime Enforcement Agency (MMEA), the force may not be called a coast guard.

different countries and may be effective in preventing unexpected incidents. Non-binding arrangements may also be followed in time by a legally binding agreement.

13. The naming of an agreement can be an issue. Despite non-binding CUES, the term ‘code’ can suggest a binding agreement (as in a prospective Code of Conduct for the South China Sea). ‘Guidelines’ or ‘principles’ may be better terminology for a non-binding agreement.

#### Prospective Political Level Agreement

14. Existing agreements mainly cover actions at the tactical level, i.e. for implementing by ships and aircraft at sea. The working group considered whether in addition to these agreements, there was scope for a policy level document aimed at headquarters ashore to establish non-binding guidelines for preventing and managing incidents at sea. Issues that might be included include prior notification of major military exercises, the prevention of dangerous military activities, regular consultative arrangements, hot lines between operational agencies, provision of contact details, and arrangements for information-sharing. However, the working group was undecided whether such an agreement was required.

#### Consultative arrangements

15. The working group was in agreement that regular consultative arrangements to discuss the state of play with agreements make an important contribution to the prevention of maritime incidents. For example, the 2014 China-U.S MOU on Rules of Behaviour for the Safety of Air and Maritime Encounters mandates an annual assessment between the two parties to review the previous year’s events relating to the application of the rules and to consult on their possible revision and improvement.

16. Joint consultations are also desirable after a maritime incident to investigate lessons learnt. The group noted that most successful arrangements worldwide have included mandated consultations; both scheduled and when circumstances require.

17. As well as the benefits of talking about relevant issues and trying to prevent future problems, the process of face-to-face interaction between individuals is important for building trust and mutual understanding. Personal relationships between naval leaders forged during activities such as WPNS, navy-to-navy talks and international maritime conferences (e.g. the biennial IMDEX conference in Singapore), make a major contribution to the development of trust and understanding. Whilst tangible outcomes are often hard to demonstrate, the intangible benefits of relationship building are invaluable.

#### Law enforcement operations

18. The working group agreed that non-binding guidelines for maritime law enforcement operations in the region, including operations to protect sovereignty claims, should be actively pursued. Non-binding guidelines would be easier to achieve than binding ones, and might cover all forms of maritime crime, such as illegal fishing activities, piracy, terrorism, smuggling drugs and other illegal items, human trafficking, unlawful immigration, and environmental protection. Many maritime incidents in the region involve enforcement by naval or coast guard vessels against foreign fishing vessels alleged to be fishing illegally.

19. The guidelines might cover issues such as:
- a. Gradual escalation in the use of force (warning shots, etc)
  - b. Safety considerations
  - c. Procedures for visit and search
  - d. Mechanisms for joint consultations after an incident
  - e. Contact details for agencies conducting law enforcement operations
  - f. Fair treatment of fishermen
  - g. Conducted in accordance with UNCLOS and other relevant international conventions
  - h. The guidelines are without prejudice to the sovereignty claims

20. ARF member countries have a range of different arrangements for maritime law enforcement. Some just have navies, others have separate navies and coast guards, while others may have several different civil agencies undertaking law enforcement at sea. Regulations and laws covering maritime law enforcement also vary a lot from one country to another. A study of maritime law enforcement arrangements in ARF member countries would facilitate cooperation on maritime law enforcement in the region, and thus contribute to the management and prevention of maritime incidents.

21. As noted in Annex B, the Centre for Humanitarian Dialogue has been conducting work in the region focussed on facilitating cooperation and mutual understanding between the different maritime law enforcement agencies working in the Spratly/Nansha islands area with a view towards developing a set of “common operating principles” (COPS) for maritime law enforcement and fishing vessel encounters. This title was chosen to distinguish the principles from the term ‘Rules of Engagement (ROE)’ used in naval operations.

22. Agreed arrangements for law enforcement cooperation in border areas and areas of overlapping maritime jurisdiction are particularly important. Such arrangements contribute to the avoidance of unexpected confrontations and might lead to the final settlement of the maritime boundary dispute.

#### Government responsibilities

23. A ‘whole of government’ approach to maritime incidents, involving maritime law enforcement, fisheries, marine environmental protection and other relevant agencies, is desirable. This would help manage incidents involving non-State vessels. Such an approach would be facilitated at a national level by effective arrangements for inter-agency coordination.

#### Non-Naval vessels and aircraft

24. Existing agreements do not apply to non-naval vessels and aircraft. The working group considered whether CUES, which only applies to naval ships and naval aircraft, should be extended to coast guard and other law enforcement vessels. The desire to expand CUES to coast guards arises because many incidents at sea in the region involve coast guard and other law enforcement vessels. Incidents can also occur between naval ships and vessels of other law enforcement agencies. A set of guidelines that apply to all ships and aircraft that might encounter each other at sea, particularly in disputed waters, would be ideal but may be difficult to achieve.

25. While there have been calls for the expansion of CUES to coast guards, regional coast guards have generally not supported its extension to their operations. They have some justification for this position. Coast guards have functions and responsibilities distinct from those of navies. Coast guards might use force as part of their day-to-day enforcement duties, but some of their tactics are listed as ones to be avoided under CUES (the text of CUES is available at: <https://news.usni.org/2014/06/17/document-conduct-unplanned-encounters-sea>). For example, CUES Article 2.8.1 lists activities to be avoided, such as the simulation of attacks and the discharge of weapons, but routine law enforcement actions by coast guard vessels could include the use of water cannons, shouldering<sup>2</sup>, and firing warning shots.

26. While most of the safety procedures set out in CUES are relevant to coast guards, they are less comfortable with some of the detailed communications procedures and manoeuvring instructions in the annexes to CUES. These are very ‘naval’ and arguably not relevant to coast guards. CUES was written by and for navies, while many incidents in the region involve non-military agencies implementing domestic policies, particularly regarding fisheries. CUES is not so much an incident avoidance mechanism as an abbreviated tactical manoeuvring and signalling manual. It includes instructions for convoys and manoeuvring in formation, and is based on an unclassified NATO document released after the Cold War for navies to use as common doctrine for multinational exercises and operations. CUES is also complex – the English language version is 25 pages long.

27. This discussion does not mean that coast guards do not need an appropriate document to prevent and manage the risks of incidents involving civil law enforcement vessels. Its focus, however, should be on safety and common understandings with maritime law enforcement through information-sharing. The common understandings might include issues such as the order of escalation in stopping a vessel (e.g. from a loudspeaker warning to shouldering and warning shots), the use of lethal force, and the fair treatment of fishermen).

28. There appears to be two requirements. One is for navies to be able to communicate with coast guard vessels through a CUES-type arrangement and thus reduce the risks of incidents involving these two different categories of vessel. In this regard, the working group recognised that the WPNS has work underway to address this requirement. The second requirement is for an agreement to help manage and prevent maritime incidents involving vessels and aircraft, including fishing vessels, which might occur in the region

### Submarines

29. The high risks associated with submarine operations suggest that submarine operators should explore possible ways and means available to improve confidence building to reduce the risks associated with accidents or incidents involving submarines.

30. Good work has already been done largely through the WPNS with exercises and cooperative arrangements for submarine rescue. Several regional countries have bilateral agreements on submarine search and rescue.

31. Despite the risks of a maritime incident in the region involving a submarine, the secrecy countries attach to their submarine operations mean that any agreement to prevent or

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<sup>2</sup> ‘Shouldering’ or ‘bumping’ is a manoeuvre involving a ship coming forcefully up alongside another vessel with the objective of moving the other vessel out of the way, or out of claimed waters.

manage such an incident will be difficult to achieve. Nevertheless, there remains scope for a regional protocol covering arrangements for responding to a situation when a submarine is believed to be missing or sunk.

### Geographical Area of Application

32. With divergent views in the region as to particular freedoms of navigation and overflight, and where they might be exercised, the geographical area of application of an agreement has been an issue when negotiating arrangements for preventing or managing maritime incidents. However, the principle should be that any agreement should focus on the interaction between ships and aircraft rather than on where they are operating.

33. Existing agreements have tended to be neutral on their geographical area of application using language, such as:

- a. MALINDO: “all maritime regimes relevant to UNCLOS 1982 including disputed maritime territories”.
- b. CHINA-US MOU-Rules (2014): “when they encounter each other at sea and in the air” (Section 1). This memorandum goes on to state in Section V that “This Memorandum is made without prejudice to either Side’s policy perspective on military activities in the Exclusive Economic Zone”.
- c. CUES: “for naval ships and naval aircraft during unplanned encounters at sea” (Article 1.2.1)

### **Lessons Learnt and Best Practice**

34. The following summarises the working groups views of lessons learnt and best practice:

- a. Bilateral agreements are easier to achieve, and are particularly important to cover arrangements between neighbouring countries, including in areas where maritime boundaries have not been agreed, or where a sovereignty dispute exists.
- b. Non-binding agreements are also easier to achieve, and may be the only ones possible at a multilateral level. Despite their limitations, they are an important means of building trust and mutual understanding.
- c. Common communications procedures and language are essential elements of any effective agreement.
- d. Agreements should be kept as simple as possible. They should be negotiated without prejudice to either side’s policy perspective on sovereignty claims or particular rights and freedoms under the international law of the sea.
- e. A ‘Whole of Government’ approach, including arrangements for interagency coordination, is required for the effective prevention and management of maritime incidents.
- f. A clearer division of responsibility between the forums listed in Annex C would assist in developing arrangements for the prevention and management of maritime

incidents. As incidents can involve both military and civil assets, the Expanded ASEAN Maritime Forum (EAMF) would seem the appropriate forum to have prime carriage of arrangements dealing with possible interactions between military and civil ships and aircraft.

- g. Safety should always be a primary consideration.
- h. Professional expertise is essential when negotiating agreements. A successful operational agreement requires that officers with the requisite maritime and/or air operational experience should have leading responsibility for negotiating agreements.
- i. Established personal relations, trust and mutual understanding are important prerequisite for the effective prevention and management of maritime incidents.
- j. Agreements for the prevention and management of maritime incidents should mandate regular consultations, including for the evaluation of lessons learnt after an incident has occurred.
- k. Regular training, workshops and exercises associated with arrangements to prevent and manage maritime incidents make an important contribution to their effective implementation and to the development of mutual understanding and trust.
- l. Hot lines between operational headquarters ashore are a vital aid to the management of maritime incidents.
- m. In negotiating arrangements, care needs to be taken that all parties have the same understanding of what is being talked about, and nothing is being 'lost in translation'.

### **Summary of Recommendations**

35. The following are the recommendations from the working group.
- a. Non-binding 'guidelines' or 'principles' for maritime law enforcement in the region should be developed for use between ships and aircraft engaged in maritime law enforcement. The ARF might invite the EAMF to take forward the development of this document, possibly making use of the expertise available in the HACGAM.
  - b. A study of maritime law enforcement arrangements in ARF member countries should be conducted. This would facilitate cooperation on maritime law enforcement in the region and help towards the prevention and management of maritime incidents.
  - c. The lessons learnt and best practice identified in the preceding document should be followed in adopting new arrangements in preventing and managing maritime incidents.
  - d. In areas where maritime boundaries have not been agreed or a sovereignty dispute exists, neighbouring countries should negotiate bilateral arrangement to prevent and manage maritime incidents. These arrangements should be without prejudice to sovereignty claims.

- e. A regional protocol should be pursued covering arrangements for responding to a situation when a submarine is believed to be missing or sunk.

Kwa Chong Guan  
Working Group Co-Chair

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**ANNEXES:**

- A. List of Current Regional Agreements and Arrangements**
- B. Related Developments**
- C. Regional Forums**



## **ANNEX A - EXAMPLES OF CURRENT REGIONAL AGREEMENTS AND ARRANGEMENTS**

### **Regional Arrangements**

#### **(1) Legally Binding Agreements**

- 2011 Agreement between China and Vietnam on basic principles guiding settlement of sea-related issues;
- 2015 Agreement between Russia and North Korea to prevent dangerous military activities;
- Bilateral ‘Cold War’ type INCSEA agreements between Russia and the US (originally 1972)<sup>3</sup>, South Korea (1994) and Japan (1993) (as well as these agreements within the region, there are also INCSEA agreement elsewhere in the world); and
- 1989 US-USSR Agreement on the Prevention of Dangerous Military Activities.

#### **(2) Non-binding Codes**

- Western Pacific Naval Symposium (WPNS) Code for Unplanned Encounters at Sea (CUES) agreed in 2014 (the Indian Ocean Naval Symposium (IONS) has also agreed to adopt CUES).

#### **(3) Non-binding Memorandums of Understanding**

- 2014 Memorandum of Understanding (MOU) between US Department of Defense and China’s Ministry of National Defense on Notification of Major Military Activities Confidence-Building Measures Mechanism (MOU-CBMM); and
- 2014 U.S.-China Memorandum of Understanding on the Rules of Behavior for the Safety of Air and Maritime Encounters (MOU-Rules). This has three annexes:
  - Annex I: Terms of Reference for Safety of Air and Maritime Encounters
  - Annex II: Rules of Behavior for Safety of Surface-to-Surface Encounters<sup>4</sup>
  - Annex III: Rules of Behavior for Safety of Air-to-Air Encounters

#### **(4) Other Instruments**

- The 2001 Malaysian-Indonesian MALINDO Prevention of Sea Incidents Cooperative Guidelines;; and
- 1988 US-USSR Joint Statement on Uniform Acceptance of Rules of International Law Governing Innocent Passage.

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<sup>3</sup> The INCSEA Agreement between the US and the Russian Federation originated in 1972 but was updated in 1997 and 1998.

<sup>4</sup> US Coast Guard and the China Coast Guard are understood to be pursuing an arrangement equivalent to Annex II of the MOU-Rules

## Other Regional Measures

- *Hot Lines.* Several hot lines or Direct Communications Links (DCL) have been set up across the region, most recently a defence hot line between ASEAN member countries, to provide a crisis management mechanism and reduce the risks of incidents at sea. As well as hot lines between military headquarters, hot lines between coast guards are also important. The coast guards of China, Japan and South Korea have informally exchanged contact addresses in order to keep close cooperation.
- *Crisis Management Mechanisms.* To assist in managing the operational situation around islands in the East China Sea, Japan and China have established discussions on a maritime aerial communication mechanism to improve communication and crisis management and serve as a confidence-building measure (CBM). The mechanism might comprise regular meetings, hot lines and an agreement on common radio frequencies between military vessels and aircraft.
- *Maritime Domain Awareness (MDA),* or the effective understanding of anything associated with the maritime domain that could impact on security, safety, economy, or the environment, can help enable mechanisms to prevent and manage maritime incidents. MDA is facilitated by information sharing, vessel reporting systems and vessel monitoring systems (VMS), such as those established by regional fisheries agreements.
- *Information Sharing Centres.* The Republic of Singapore Navy has established the Information Fusion Centre (IFC) with international liaison officers (ILOs) from around 20 countries. While the IFC is not mandated to act as a crisis management facility, it does provide a possible link between respective national headquarters through its ILOs. Singapore also has long-standing navy-to-navy “ops to ops” links with its neighbours to coordinate maritime security in the Malacca and Singapore Straits.
- *Bilateral Fisheries Agreements.* In Northeast Asia, three bilateral fisheries agreements are in force: between South Korea and Japan (1999); between China and Japan (2000); and between South Korea and China (2001). These are all intended to deal with fisheries issues, and some other matters, pending final delimitation of maritime boundaries. These agreements also provide for provisional zones. Article 11 of the agreement between Japan and South Korea and Article 8 of the agreement between Japan and China provides that the parties shall take appropriate measures for respective nationals and fishing vessels flying respective flag to ensure compliance with international legal rules of navigation, the safety of fishing activities and the maintenance of order at sea, and the smooth and prompt resolution of incidents between a fishing vessel flying the flag of one of the parties and that flying the flag of another. In Southeast Asia, China and Vietnam entered into an agreement in 2000 on joint fisheries management in the Gulf of Tonkin/Beibu Gulf.
- *Other Bilateral Arrangements.* Other bilateral arrangements exist in the region that potentially contribute to preventing and managing incidents at sea, including joint development zones and joint or coordinated patrols in border areas. The Jakarta Treaty of 1982 between Indonesia and Malaysia provides Malaysia with a right of access and communication through Indonesian archipelagic waters between East and West Malaysia.

## **ANNEX B – RELATED DEVELOPMENTS**

### **Expansion of CUES**

The China-ASEAN leaders' meeting held in Vientiane in September 2016 adopted two documents on dealing with unplanned encounters and maritime incidents in disputed waters. These were a set of guidelines for a diplomatic hotline to respond to maritime emergencies and a statement on the application of CUES in the South China Sea. These two documents establish ground rules for maritime incidents and were hailed as a step forward by China and ASEAN to contain potential conflicts.

CUES was adopted in April 2014 by all 21 WPNS member states, including China and all ASEAN claimant states in the South China Sea. The American and Chinese navies are now routinely using CUES.

Both Singapore and the Philippines have proposed that CUES should be expanded to cover both coast guards and other maritime forces. The WPNS has established a Working Group on CUES to have oversight of its continued utility and the possible need for updates, including its possible extension to coast guards to deal with situations when naval vessels have unplanned encounters with coast guard vessels at sea. This Group will also be important in ensuring the ongoing commitment of participating navies to the use of CUES.

### **Japan-China Dialogue**

Between Japan and China there is a Track Two dialogue on safety of airspace in the East China Sea. The safety of aircraft is currently not adequately secured when the military aircraft of the two countries approach each other in the East China Sea. This included an exchange of views on the nature and legality of air defence identification zones (ADIZs). Potentially an ADIZ, if it is established in accordance with relevant international law, helps to prevent maritime incidents involving aircraft by identifying the aircraft involved. The recommendations from the dialogue mainly relate to improving communications between the different organisations of the two countries.

### **Centre for Humanitarian Dialogue Project**

The Centre for Humanitarian Dialogue has been hosting a series of meetings and workshops in the region in recent years on 'Maritime Confidence-Building in the Spratlys/Nansha area. This activity has been focussed on facilitating cooperation and developing mutual understanding between the different maritime law enforcement agencies working in the area with a view towards developing a set of "common operating principles" (COPS) for maritime law enforcement and fishing vessel encounters. The aim is to prevent incidents, reduce tensions and promote good humanitarian practices during encounters at sea.

## ANNEX C - REGIONAL FORUMS

The following regional forums consider issues concerning the prevention and management of incidents at sea:

- *ARF Inter-Sessional Meeting on Maritime Security (ARF ISM on MS)*.<sup>5</sup> The ISM on MS has developed successive ARF Work Plans for Maritime Security. The current plan is focused on the priority areas of shared awareness and information-sharing, confidence-building measures (CBMs) based on international and regional legal frameworks, and capacity-building for maritime law enforcement.
- *ASEAN Defence Ministers Meeting Plus (ADMM-Plus) Expert Working Group on Maritime Security (EWG on MS)*. The EWG on MS is attended mainly by defence officials and naval officers but is seeking to bring in coast guard officers. It focusses on military cooperation, operational issues and confidence-building. It can deal with confidence-building measures between naval ships and aircraft, but not for those relating to vessels and aircraft from other agencies.
- *Expanded ASEAN Maritime Forum (EAMF)*. This includes all members of the East Asian Summit (EAS).<sup>6</sup> It brings into play national maritime administrations, as well as naval and coast guard officers and diplomats, to look at a full range of maritime issues. The EAS Statement on Enhancing Regional Maritime Cooperation agreed in Kuala Lumpur in November 2015 agreed to redouble its efforts to promote ‘cooperation and coordination between maritime law enforcement agencies such as among Coast Guards and other relevant agencies’. The EAMF would seem the appropriate regional forum to take forward arrangements to prevent and manage maritime incidents, involving coast guards and similar agencies, as well as their interactions with naval ships and aircraft.
- *Western Pacific Naval Symposium (WPNS)*. This is a major forum for naval dialogue and cooperation bringing together leaders from the navies of the Western Pacific to discuss issues of common concern.<sup>7</sup> The WPNS developed CUES and now has a working group considering how CUES might be extended to cover the risks of unplanned encounter between naval and coast guard vessels.
- *Indian Ocean Naval Symposium (IONS)*.<sup>8</sup> IONS is a voluntary initiative that seeks to increase maritime co-operation among navies of the littoral states of the Indian Ocean

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<sup>5</sup> Membership of the ARF comprises 27 members: the 10 ASEAN member states (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam), the 10 ASEAN dialogue partners (Australia, Canada, China, the European Union, India, Japan, New Zealand, the Republic of Korea, Russia and the United States), one ASEAN observer (Papua New Guinea), as well as the Democratic People’s Republic of Korea, Mongolia, Pakistan, Timor-Leste, Bangladesh and Sri Lanka.

<sup>6</sup> Membership of the EAS and EAMF comprises the ten Southeast Asian countries plus Australia, China, India, Japan, New Zealand, the Republic of Korea, Russia and the United States.

<sup>7</sup> Current WPNS members are: Australia, Brunei, Cambodia, Canada, Chile, China, France, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, Papua New Guinea, Peru, the Philippines, Russia, Tonga, Thailand, Singapore, the U.S. and Vietnam, as well as four observer countries — Bangladesh, India, Mexico and Pakistan.

<sup>8</sup> IONS includes 23 nations that permanently hold territory that abuts or lies within the Indian Ocean, and 7 observer nations: The members are the South Asian Littorals (Bangladesh, India, Maldives, Pakistan, Seychelles, Sri Lanka and United Kingdom (British Indian Ocean Territory)); West Asian Littorals (Iran,

Region by providing an open and inclusive forum for discussion of regionally relevant maritime issues. As some member countries do not have navies, its participants include some coast guards. IONS recently endorsed CUES for use between its members.

- *Heads of Asian Coast Guard Agencies Meetings (HACGAM)*. These are assuming greater importance, particularly as coast guards expand in the region and are increasingly used for sovereignty assertion in disputed waters.<sup>9</sup> These meetings were established in 2004 to provide a combined regional response to piracy, but have since widened their scope to include other maritime security issues.
- *North Pacific Coast Guard Forum (NPCGF)*. This was initiated by the Japan Coast Guard in 2000 as a venue to share information on matters related to combined operations, illegal drug trafficking, maritime security, fisheries enforcement, illegal migration, and maritime domain awareness.<sup>10</sup>

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Oman, Saudi Arabia and United Arab Emirates); East African Littorals: France (Reunion), Kenya, Mauritius, Mozambique, South Africa, and Tanzania; South East Asian and Australian Littorals: Australia, Indonesia, Myanmar, Singapore, Thailand and Timor-Leste with the following observers: China, Germany, Japan, Madagascar, Malaysia, Russia and Spain.

<sup>9</sup> Current HACGAM participants are: Australia, Bangladesh, Brunei, Cambodia, China, Hong Kong-China, India, Indonesia, Japan, Korea, Laos, Malaysia, Maldives, Myanmar, Pakistan, Philippines, Singapore, Sri Lanka, Thailand and Vietnam.

<sup>10</sup> Current NPCGF membership includes agencies from Canada, China, Japan, Korea, Russia, and the United States.