

2 | The Indian Ocean's Key Role in the Indo-Pacific Rules-based International Order

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In September 2020, the US secretary of defense gave a speech to promote the “international rules-based order, rooted in our shared values, that has supported

stability and prosperity around the world for more than seven decades.”¹ The United States and its allies and partners have played a decisive role in establishing international rules and norms since the end of World War II. This order, however, is now being challenged by a rising China and a resurgent Russia. The defense secretary referred specifically to the Indo-Pacific region and Washington’s work “to focus attention on our priority theater, the Indo-Pacific. Not only is this region important because it is a hub of global trade and commerce,” he elaborated, “it is also the epicenter of great power competition with China. And in the face of destabilizing activities from the PLA, particularly in the maritime domain, the United States must be ready to deter conflict, and if necessary, fight and win at sea.”

Yet, the Indian Ocean is not characterized by rampant territorial disputes and Chinese assertiveness, as the Pacific is. From such characterizations, it seems clear that US strategy is still focused on the Pacific segment of the Indo-Pacific and less so the Indian Ocean, which remains a secondary theater for US defense planners. The Department of Defense’s *Indo-Pacific Strategy Report* repeated a phrase that is often stated by US officials: “The United States is a Pacific

nation.”² Whereas China has unquestionably challenged established rules and norms in the Pacific, it has, for the most part, been a lawful actor in the Indian Ocean. In considering the rules-based international order in the wider Indo-Pacific region, therefore, it is important to examine the Indian Ocean on its own terms and consider options for preserving the rules and norms of this still relatively peaceful maritime region.

Evolving US Policy toward the Indian Ocean: From the Asia-Pacific to the Indo-Pacific

The 2017 *National Security Strategy* identified China and Russia as the major threats to US interests, and great-power competition has since become the organizing principle behind the implementation of Washington’s diplomatic³ and defense⁴ policies globally. Since 2017, Washington has adopted the term Indo-Pacific to describe the region stretching from “the west coast of India to the western shores of the United States.”⁵ This reflects the evolution of US policy toward this region over the past decade, especially the increased importance of the Indian Ocean. At the beginning of the decade, the region was referred to by the long-standing “Asia-Pacific” term. By 2011-2012, this geography was prioritized

under the pivot⁶ (or “rebalance”)⁷ strategy to offset the operational focus of the United States in the Middle East. Then, this regional concept evolved as US diplomats began to link Southeast Asia with South Asia under an “Indo-Pacific Economic Corridor.”⁸ Among US defense officials, in 2013 Admiral Samuel Locklear, then the Commander of U.S. Pacific Command (PACOM), began to refer to the region as the “Indo-Asia-Pacific.”⁹ The term was used in US military service documents such as the US Navy, Marine Corps, and Coast Guard strategy in 2015. Finally, in 2017 and 2018, the concept of the “Indo-Pacific” was adopted in Washington’s highest-level national strategy documents. This was in part due to recognition of how allies such as Japan and Australia had described the wider region. Even PACOM was renamed “Indo-Pacific Command” in 2018 as part of this alignment of terms.

Washington has expanded the articulation of its interests in this wider region over the past decade through shifts in geographic terms. Most recently, it has assigned a normative dimension to the region as well. By calling the region the “Free and Open Indo-Pacific,”¹⁰ the US acknowledges the rules, values, and norms that it seeks to defend and promote through the concept.

Washington applies this vision to the Indian Ocean segment of the Indo-Pacific. Yet, even as the Indian Ocean has assumed greater importance in U.S. strategic planning through the Indo-Pacific concept, the United States continues to understand the region through a Pacific lens and risks overlooking the unique features of the Indian Ocean.

A Rules-based International Order in the Indian Ocean

As a laboratory for cooperation, the Indian Ocean has seen many successes. This is due largely to the fact that the Indian Ocean's strategic importance derives from its economics. The region effectively serves as a highway, connecting the bustling Pacific waters through the Malacca Strait and across to the Middle East and African straits of the Hormuz and Bab Al-Mandeb, respectively. The Indian Ocean sees significant traffic of hydrocarbons and container shipping. Due to the economic significance of this region, countries increasingly share a common interest in keeping the sea lanes open and safe. When piracy in the western Indian Ocean threatened to disrupt the stability of these waterways more than a decade ago, we witnessed a multinational response to secure them. Counterpiracy operations

emerged, including from the US-led coalition Combined Maritime Forces Task Force 151 and the NATO alliance's Operation Ocean Shield. Meanwhile, China began its own counterpiracy operations as an independent deployer, as did India and Japan. Despite tensions in other domains, all three countries coordinate on escort convoys.

In addition to counterpiracy, search and rescue is another area where countries have cooperated—for example, in the search for the missing Malaysia Airlines 370 plane. Beyond military operations, countries have pursued Indian Ocean seabed mineral exploration rights lawfully through the International Seabed Authority. This includes China, South Korea, and India, among other countries. The role of international law in the Indian Ocean has also been bolstered by the use of the International Tribunal for the Law of the Sea and the Permanent Court of Arbitration (PCA) to resolve maritime disputes between Bangladesh, India, and Myanmar.¹¹ The respect for international law in these cases stands in contrast to China's disregard for the PCA decision over the Philippines-China dispute in 2016. In addition to working within legal institutions, major extraregional powers such as the US and China have pursued membership roles in

existing venues for cooperation in the Indian Ocean. This includes regional institutions such as the Indian Ocean Rim Association (IORA) and Indian Ocean Naval Symposium (IONS). Without obstacles such as major territorial disputes and with converging economic interests to protect the free flow of commerce, the Indian Ocean is not as contentious as the Pacific Ocean.

Connecting US Strategic Goals in the Indo-Pacific with the Indian Ocean Order

This examination of the cooperative successes in the Indian Ocean does not intend to minimize the threat of major power rivalry in this region. In fact, this is a historical concern among countries in the Indian Ocean region. During the late 1960s and early 1970s, smaller countries promoted their vision for an Indian Ocean Zone of Peace due to the Cold War rivalry between the Soviet Union and the United States. Resident Indian Ocean countries face a similar challenge in a new era of great power competition.¹² The regional security environment is even less stable when considering the broad-based militarization and increased acquisition of naval platforms, including in the undersea domain, by resident countries themselves.

Yet, while many observers fear the implications of China's expanding footprint through the Belt and Road Initiative, deployment of submarines to the Indian Ocean, establishment of a military base in Djibouti, and even undersea surveillance and exploration for seabed minerals, the reality is that China is mostly behaving according to the laws and norms in the Indian Ocean. In fact, even actions that India sees as intrusive, such as Chinese platforms operating in its exclusive economic zone (EEZ), are actually in line with the US interpretation of the United Nations Convention on the Law of the Sea (UNCLOS). As China becomes a global deployer, ironically this status helps underscore the order that the US wants—the freedom of navigation where international law allows. Many Indian Ocean countries reject the US interpretation of UNCLOS that would permit military activities in EEZs. They include Bangladesh, Myanmar, India, Iran, Kenya, Malaysia, Maldives, Mauritius, Pakistan, Somalia, Sri Lanka, Sudan, Thailand, and United Arab Emirates.¹³

Still, the United States should be vigilant about threats by China to disrupt the Indian Ocean order. One disturbing demonstration of this potential lies in the Chinese military's lasering of US Air Force

personnel in Djibouti in 2018. Such incidents suggest China's assertiveness in the Pacific could carry over into the Indian Ocean region—which is precisely the fear of resident Indian Ocean countries that call for an Indian Ocean Zone of Peace.¹⁴

As Washington considers its broader Indo-Pacific strategy, it should call out the areas where China wants to benefit across the board. This is clear when Beijing seeks to limit international rules and norms to its advantage in the Pacific, yet free-ride off the lawful order and the interpretation of UNCLOS that the US seeks in the Indian Ocean. At the same time, Washington should also recognize the current strengths that exist to underpin the lawful order in the Indian Ocean. More importantly, it should not ignore the key differences between this region and the Pacific while continuing to invoke the Free and Open Indo-Pacific concept as another decade begins in this dynamic region. ■

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Notes

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