

**International Workshop on
“Confidence Building Measures in Maritime Security”
Tokyo 21 March 2012
Chairman’s Conclusions**

The Workshop was co-hosted by the Ministry of Foreign Affairs of Japan and the Japan Institute of International Affairs (JIIA). H. E. Mr. Joe NAKANO, Parliamentary Vice-Minister for Foreign Affairs of Japan and Mr. Yoshiji NOGAMI, President of JIIA made their opening remarks. The Workshop was attended by approximately 50 persons including government officials from Japan and Malaysia, maritime security experts from 6 different countries and specialists from Japanese shipping industry. This Workshop serves as a kick-off for Japan and Malaysia as lead countries to spur discussion and activities of the ASEAN Regional Forum (ARF) Inter-Sessional Meeting on Maritime Security (ARF ISM-MS). The objective of the Workshop was to produce useful inputs through the presentations and discussions, and to contribute to the activities of ARF ISM-MS.

The Workshop reaffirmed the growing importance of maritime security, recognizing that the sea is a public good not only for the Asia Pacific region but also the international community as a whole and ensuring maritime security is closely linked to prosperity of the international community.

The Workshop further recognized the concept of maritime security as a vast and diverse one which spans conventional maritime security issues such as military threats and state sovereignty concerns to more non-traditional maritime security issues such as piracy, terrorism, natural disasters, climate change, smuggling of drugs, people and goods, search and rescue (SAR). Views were also expressed that maritime security should be duly considered in a broader context of an entire oceanic eco-system and its impact on mankind.

In response to the multi-faceted threat to maritime security, which is manifested in different types of acts at sea, the Workshop noted that the international community has responded with international legal

instruments relating to maritime affairs such as United Nations Convention on the Law of the Sea (UNCLOS)

The Workshop also noted both bilateral and regional collaborative endeavors for maritime security in the Asia-Pacific region such as establishment of ASEAN Maritime Forum and ARF ISM-MS, while recognizing maritime security issues cannot be handled by one country but should be addressed by countries concerned. The value of engaging shipping industry in maritime security was also stressed.

Recognizing that confidence building measures (CBMs) through various forms of cooperation and arrangements in maritime security could help alleviate potential tensions and disputes in the region, the Workshop discussed and examined existing CBMs in other regions to learn any useful lessons for this region. Views were expressed that close communication among states such as “telephone hotlines” could help develop confidence building and therefore the existing networks in the region should be strengthened and expanded to include such areas as operations in law enforcement. The Workshop also examined legal aspects of possible cooperation required by UNCLOS to states bordering an enclosed or semi-closed sea. Views were also expressed that compiling the elements of “good seaman ship” would be one idea for promoting confidence building in maritime security in order to avoid unintended clashes or escalation of situations when government vessels encounter at sea.

At the Workshop, it was acknowledged that multiple regional cooperation frameworks on traditional maritime security issues like navy to navy cooperation and on non-traditional maritime security issues such as narcotics, terrorism, transnational crime and conservation of marine environment already exist in this region including the South China Sea and other regions including the Mediterranean Sea.

Furthermore, the Workshop investigated regional common agendas to materialize CBMs in maritime security. Taking into account of the seriousness of piracy issue and remarkable achievements made for cooperation in the fight against piracy, the Workshop discussed how to

further develop and strengthen existing anti-piracy measures including private sector's activities, and explored how to extend legal assistance to the states in the region, which have yet to enact anti-piracy national laws. Views were also expressed that countries with expertise and experience in the region could work together to assist in eradicating Somali pirates by extending support to incubate domestic industries such as fisheries in Somalia.

While recognizing the need to identify issues of common interest at the regional level, the Workshop identified various regional common agendas such as preservation of marine resources and the environment, illegal immigrants and search and rescue (SAR), in addition to further cooperation in anti-piracy measures.

Finally, the Workshop noted that ARF ISM-MS could serve as a forum to develop regional maritime CBMs. In this regard, the Workshop recommended that ARF ISM-MS should analyze the current state of play with regard to individual areas of cooperation in the existing regional frameworks, to build on good practices for further cooperation, and to identify gaps in the frameworks.

The Workshop also recommended that ARF ISM-MS should pursue various forms of regional cooperation such as government and private sector cooperation in addition to traditional state to state cooperation. Furthermore, the Workshop highly expects that synergy between ARF ISM-MS and other regional entities on maritime security such as ASEAN Maritime Forum(AMF) and ADMM + could be made along with development of maritime CBMs.