



## **Rear Admiral Shunichi Hatano** Vice President, Command and Staff College of Japan Maritime Self Defence Force

### **Introduction**

Welcome aboard and thank you very much for introducing me. I am RADM Hatano, Japan Maritime Self-Defense Force. It is my great honor to be invited and given a chance to make a presentation in front of you today. On behalf of JMSDF, let me extend my sincere thanks and reverence to the leadership of the Sri Lankan Navy, which is hosting Galle Dialogue 2017. “Arigatou-Gozaimasu.” (“Thank you.” in Japanese)

Today, I would like to make a presentation regarding the importance of sharing a common realization of International Law in order to promote maritime security introducing the activities which the JMSDF is committing to.

### **The importance of a Rules-Based International Order (1/3)**

First of all, I would like to begin with my ideas regarding the importance of International Law. Grotius, the father of International Law introduced the new principle, “Freedom of the seas for all people” in his book *The Free Sea*, published in 1609. Human beings have formed maritime order over the centuries based on a rule of law. For the purposes of a stable exploitation of the ocean, we human beings established a maritime

order by applying “norms” and “rules” to the ocean which had been under a state of “Anarchy”.

Then, no later than the 17th to the 18th century, the customs that established the territorial waters in littoral areas had prevailed. In the 19th century, a traditional maritime regime consisting of the narrow 3 nautical mile-wide territorial waters and the vast, free High Seas came into being. In 1960s, the present UNCLOS was ratified after the 4 Geneva Treaties\* were concluded.

### **The importance of a Rules-Based International Order (2/3)**

Maritime orders based on these rules have contributed to regional development and prosperity as the foundation of maritime stable exploitation. In particular, the Sea Lines of communication (SLOC) from the Indian Ocean to the East China Sea and West China Sea is an area which covers one third of the balance of trade and Japan, along with the neighboring countries along the SLOC are all blessed with its resources. Maritime order is obviously not just a matter of one nation but a matter for multi-nation or international society. Therefore, a rules-based Maritime order is regarded as being in the common interest of the international society.

## **The importance of a Rules-Based International Order (3/3)**

As the British maritime security scholar Geoffrey Till claims, the protection of maritime order is a new mission of modern Navies. There is no doubt that we Navies and law enforcement agencies are the principle actors in securing the present maritime order which has brought prosperity to the region. From this perspective, sharing a common realization regarding the importance of a rules-based international order such as UNCLOS, is the most significant way to achieve this vision and promote maritime security.

### **Piracy Numbers in the ASEAN Region**

Now allow me to look at the piracy in the Strait of Malacca for example. At present, there are violations in the area such as piracy and international crime.

According to a report by ReCAAP, the number of piracy in South East Asia has been increasing for 6 years in a row since 2010 and 200 piracy incidents occurred in 2015. Besides that, illegal fishing seriously impacts on island countries which depend on fishery or marine resources. Contraband trading of weapons, ammunition and drugs by international criminals or terrorists threaten and directly impact on the security of the region. These cases represent a modern threat to maritime security and are a serious challenge to a rules-based maritime order.

Grotius, the father of International Law wrote *The Free Seas* as a result of the incident involving a Portuguese ship which was captured by the Dutch Navy in the Strait of Malacca. From this perspective, we can say that the area is the source of the rule of law in the maritime domain.

### **Cooperation Based on the Vientiane Vision**

It is indispensable for the Navies to share this realization of international law and a rules-based maritime order in order to cope with traditional or non-traditional threats. From this perspective, former Defense Minister Inada announced “The Vientiane Vision” at the second ASEAN-Japan

Defense Minister’s Informal Meeting held in Vientiane in November 2016. The vision is a guideline for ASEAN-Japan Defense-Cooperation aimed at capacity building in the whole region.

In accordance with the intention of this Vision, we pursue the attainment of the “Rule of law”. This is our goal we want to attain and we share the realization of international law as a basis of peaceful settlement of disputes. Japan has conducted various capacity-building cooperative efforts based on the Vientiane Vision.

### **Ship Rider Cooperation Program, “Izumo”**

As an example of this vision, I would like to introduce an on-board cooperation program aboard “JS IZUMO”. The program provides an opportunity for ASEAN members to come aboard and conduct a ship tour and watch ship handling as well as flight tour and seminar regarding international law. The seminar was held outdoors to allow the participants to learn real world operations on the sea. Not only JS IZUMO, but also JMSDF helicopter destroyers have a great deal of domestic and/or international engagement experience in training and disaster relief operations based on international law. We the JMSDF are confident that our program is very successful in sharing knowledge with the program participants through lectures regarding international law and to allow them to feel and think deeply in a realistic environment to enable their better understanding of the current situation in the real world. Therefore, we think it is very important to promote the sharing of a realization of international law in order to secure a maritime visibility.

What is more, as long as we seek opportunities to build a better maritime security environment in the region, also we should invest not only in the military equipment and technology, but also in the future of young officers of the next generation who will be leading the region. We believe the participants who engaged in experience on JS IZUMO provide mutual understanding and build personal relationships which will lead to opportunities for their future cooperation. For the young officers, the experience might well be a very

significant first step to promote visibility of the maritime domain within the region.

### Closing Remarks

Last but not least, we Navies share a common mission to protect interests in a better maritime security environment. All of us here are responsible not only for present maritime security, but also for that of the next generation. Therefore, we have to promote and develop our

mutual cooperative relationships for the sake of the stability and prosperity within the region in the future. This concludes my presentation on “Greater Maritime Visibility based on International Law and JMSDF activities”.

Thank you for your attention and patient listening.

\*Convention on the territorial sea and the contiguous zone (領海法)

Continental Shelf Treaty (大陸棚條約)

Convention on the High Seas (公海條約)

Convention on Fishing and Conservation of the Living Resources (公海生物資源保存條約)