

In Defense of the Rules-Based International Order

Reflections from the annual Shangri-La Dialogue

by Kerry Lynn Nankivell

Defense of the Rules-Based International Order (RBIO) is shaping up to be the leitmotif of 2018. At the (SLD), the region's premier Track 1.5 defense and security dialogue, preoccupation with adherence to rules, laws and norms, and the regional order to which they give rise, was a theme that appeared in nearly every official speech. From the opening keynote compellingly delivered by India's Prime Minister Narendra Modi, to U.S. Secretary of Defense Jim Mattis' opening remarks and Singapore Minister of Defence Ng's closing thoughts, it seemed clear that the region's residents – large and small – are preoccupied with increasing uncertainty about the stability of the long-held rules of the road that have underpinned regional prosperity and stability for decades.

Profound uncertainty pervades three major regional issues. The first is nuclear non-proliferation and the Korean peninsula. Defense Ministers Song (ROK) and Onodera (Japan) understandably made this issue the theme of their SLD18 remarks, and supported by Ministers from Canada, France, the U.S. and U.K. expressed their commitment to pursue Complete, Verifiable, Irreversible Denuclearization (CVID) through negotiations with the Democratic People's Republic of Korea (DPRK). Nearly all speakers acknowledged the failures of past negotiations, in which agreements were struck even as parties neglected to implement the provisions to which they had agreed. Moreover, international instruments including the Nuclear



DKI APCSS Director retired Rear Adm. Peter A. Gumataotao and Prof. Kerry Lynn Nankivell were in the audience as the keynote address was presented.

Non-Proliferation Treaty (NPT), as well as three United Nations Security Council Resolutions since 2017 have failed to deter North Korea's steady march to nuclear capability. In fact, decades of diplomatic frustrations seem only to have led to the undeniable nuclearization of the Korean peninsula (the Kim regime has successfully undertaken three nuclear tests and

of reality while two armies of plumbers on either side of the Pacific work furiously to get the heat back on.

The international rules-based order is also under visible strain in the global maritime commons, but particularly in the South China Sea. Since April 2018, China has deployed anti-ship missiles to the disputed Spratly Islands, landed a strategic bomber on

Woody Island in the disputed Parcel Islands, and conducted a live-fire exercise inside the waters of its infamous nine-dashed line claim,

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many more missile tests since 2015). It is little wonder that this year's security summit included a palpable sense of cynicism about the power of treaties, negotiations or even face-to-face diplomacy to bind parties to the basic rules of good conduct. With few consequences for bad behavior, but even fewer alternatives to negotiation, many of us will do as French Minister Parly recommends: endure the cold shower

despite the fact that it was invalidated by an internationally-recognized Arbitral Award ruling in June 2016. Opening the Shangri-La Dialogue, U.S. Secretary of Defense Mattis plainly called out Chinese behavior as a blatant use of military power for the intimidation and coercion of her smaller neighbors. Moreover, he correctly noted that the nine-dashed line "does not exist," having been evaluated and dis-

missed in an international legal ruling. Prime Minister Modi adopted a maritime theme for his keynote remarks, and without singling out Chinese behavior, reminded the audience of the importance of international law and respect for dispute resolution mechanisms, as well as the sanctity of sovereignty and territorial integrity to the regional order. Ministers and Chiefs of Defense from Australia, Canada, Japan, Germany, France and the U.K. shone a light on Chinese behavior to greater or lesser extents, defending the principle of freedom of navigation as a cornerstone of the international order. But despite the growing unanimity of support for UNCLOS and the rules and norms that it codifies, there is much hesitation and uncertainty about what can be done in the face of determined and repeated violations of the rules by powerful states. U.S. Secre-

tary Mattis averred that “there are consequences” for ignoring the rules, and that China’s recent “disinvitation” to the annual Rim of the Pacific Exercise is only one small one. But questions from the audience and sidebar commentary remain frustratingly stymied on the question of what feasible options are available to those that seek to defend the rules-based order at sea.

Last, and to a much lesser extent, various senior speakers in Singapore expressed doubts about the health of the rules-based order underpinning economic trade and investment. While one U.S. Senator highlighted “predatory economics” that offer a “hand out, not a hand up,” India’s Prime Minister Modi warned of increasing protectionism and nations “plagued under impossible debt.” Speaking more plainly than most, Singapore’s Minister Ng unapologetically equated the White House’s unilateral imposition of large-

scale steel and aluminum tariffs to Chinese unilateral military action in the South China Sea. Softening support for the existing international agreements on free trade was also called out as a troubling trend by those Ministers coping with the day-to-day reality of terrorism and returning fighters, including Ministers Lorenzana (Philippines), Ryamizard (Indonesia) and Attiyah (Oman). Oman’s Dr. Attiyah persuasively noted that terrorism has “no root cause,” but also stressed that comprehensive investment and development needs to be a strong thread in any successful, multi-layered counter-terrorism policy. This is a difficult reality at a time when domestic publics in many countries seem weary of globalization and its socio-

cultural effects, and suspicious that international trade has benefited some more than others. As in the other two issue areas, the weakened confidence in established rules, norms and laws of international behavior leaves policy makers with few options in charting the way ahead. Dissatisfied with the rule set of the past, the world’s leaders are standing in an unfamiliar transition zone without a clear vision of what lies ahead.

Despite much uncertainty, this year’s Shangri La Dialogue did underscore a nearly-unanimous support for the regional architecture of security cooperation, of which the SLD is an integral part. Nearly every speaker reiterated her or his recognition of ASEAN’s centrality to the regional security order, alongside an alphabet soup of mechanisms, forums, regularized exercises and activities. Continued engagement via these and other, less formal mechanisms, including education and training programs like those offered by DKI APCSS, will become increasingly important as we seek to shore up the international rules-based order. Only dialogue and mutual understanding will help us to build Modi’s “free, open and inclusive” regional order. Secretary Mattis stated in his remarks that “years from now, we will be judged on whether or not we successfully integrated new powers to our existing order.” If we are to meet that challenge, we’ll need to redouble our efforts to understand and engage with one another. “We will sail forth,” as French Minister Parly declared, not in spite of uncertainty but because our willingness to move forward together, cautious but optimistic, committed to cooperative outcomes, is the best foundation for a more stable Indo-Pacific. 🇮🇩

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Director Gumataotao and Kerry Nankivell are captured on a monitor during the dialogues.

Maritime Shared Awareness the focus of DKI APCSS workshop held in Bangkok



The 51 participants came from 12 countries plus ASEAN nations (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam).

U.S. President Donald Trump and Secretary of Defense General James Mattis offered increased US-ASEAN cooperation to build maritime domain awareness to address common threats to regional security at the East Asia Summit and Association of Southeast Asian Nations (ASEAN) Defense Ministers' Meeting-Plus in late 2017. In support of this commitment, the Daniel K. Inouye Asia-Pacific Center for Security Studies hosted a four-day workshop on, "Building Maritime Shared Awareness in Southeast Asia" in Bangkok, Thailand, May 14-17.

The more than 51 participants came from 12 countries plus ASEAN nations (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam). Attendees included senior policy makers,

security practitioners, and subject matter experts. Several observers from the ASEAN Secretariat, the United States, and India also attended the workshop.

Workshop academic lead Professor Kerry Lynn Nankivell stated that, "this workshop invited participants to develop recommendations for information-sharing protocols and tools to support developing information-sharing agreements between ASEAN member states. These recommendations may form the basis for US support to regional policies and operational goals, through engagement with established ASEAN forums."

Subject matter experts attending the workshop reported on: contemporary developments in information-sharing and coordinated operations; recently developed tools and lessons

learned; and participation in several tabletop exercises.

"This workshop is about maritime shared awareness, which is a capability that the region needs. As for Brunei, we very much welcome this initiative from the U.S. Government, we think it's a very useful workshop," said Haji Adi Ihram Mahmud, Director, Directorate of Defence Policy, Brunei Ministry of Defense. "[It] is a good example of how important the U.S.-ASEAN relations are and how excellent the state of cooperation and relationships are with U.S. and ASEAN."

As a result of this workshop, participants:

- Agreed on information sharing protocols for regional information-sharing agreements in development among ASEAN member states, including suitable tools for operationalization;
- Identified opportunities to leverage existing operations, exercises and training support expanded regional MDA; and;
- Identified available tools to build regional MDA suited to all stakeholders' needs and organizational structures in support of an agreed information-sharing protocol.
- Introduce and utilize the Non-Classified Enclave (NCE) and compatible applications to stimulate discussion on optimal protocol and supporting requirements.

"The workshop has validated many of the points that were debated in previous ones held in Hawaii," stated Jesse Pascasio, Director of Strategic Planning and Communications for the Philippines National Coast Watch Council Secretariat. "First and foremost there is a behavior aspect of information sharing that is a cornerstone

for any successful information-sharing arrangement such as the one we have in Singapore, and the one shown to us by Thai (Maritime Enforcement Coordination Center).

He further stated that, “the act of this successful information sharing that was conducted in these organizations was built because of the relationships of the liaison officers, members of different agencies and between officials of different countries. I think that is a key driver for further discussion

that enables successful information-sharing.”

This was the fourth in a series of workshops on Maritime Shared Awareness hosted by DKI APCSS. This iteration focused on advancing regional efforts to build a Recognized Maritime Picture (RMP) for Southeast Asia.

According to DKI APCSS Director Pete Gumataotao, “This workshop series supports the US government’s enduring commitment to increase U.S. –

ASEAN maritime cooperation to build maritime security in the Indo-Pacific region. Charting the way forward in building shared maritime domain awareness requires a multilateral effort with persistent dialogue, transparency and cooperation. Through this collaborative effort in MSA Workshop 4, Southeast Asian partners have started to identify a viable framework for increasing maritime shared awareness. DKI APCSS is honored to be part of this long-term effort.” 🇺🇸



Above: Director Gumataotao comments during the plenary.
Top: Participants work to solve a problem during a breakout session.
Top right: Academic Lead Prof. Kerry Nankivell makes announcements during the workshop.
Right: Participants introduce themselves at the beginning of the workshop.

Workshop brings together CVE experts in SE Asia

“Countering Violent Extremism in Southeast Asia” was the focus of a workshop held in Manila, March 13-16. Hosted by the Daniel K. Inouye Asia-Pacific Center for Security Studies, the National Defense College of the Philippines, and the Anti-Terrorism Council of the Philippines, the four and a half day workshop brought together 61 security practitioners including military, police, and civilian government officials, and experts from international organizations, regional think tanks, and academia.

“Extremist groups continue to disrupt the normalcy of daily lives throughout the world. The continued spread of terrorism and the extremist groups evolving strategies are all the more reasons why we should brace ourselves and



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find more ways of combating them. This 4-day workshop is a demonstration that we are ready to fight as they seek to challenge our shared balance of peace and justice and human dignity,” said Philippine National Defense Secretary Delfin N. Lorenzana during opening remarks.

U.S. Ambassador to the Philippines Sung Y. Kim also provided opening remarks stating that, “The true strategy for dealing with violent extremism is to prevent

the next crisis by focusing on the underlying issues that give rise to the violent extremism in the first place.”

According to DKI APCSS director, retired Rear Admiral Pete Gumataotao, “This is one of several workshops DKI APCSS has hosted on Countering Violent Extremism and is a clear indicator of our commitment to work with all of the countries in this region on this important issue.”

Last year DKI APCSS hosted a workshop that identified gaps in how we cooperate on this issue and the participants recommended a continuation of this important dialogue among Southeast Asian nations. In this workshop, participants discussed key regional and international trends and lessons learned from case studies of recent violent extremist activities.

“One of our goals is to enhance understanding among participants of the opportunities for strengthening collaborative regional actions to address extremist networks and connections, and the next steps necessary to accomplish these,” said academic lead, Dr. Alfred Oehlers.

“Ultimately, our goal is to help build common perspectives and enhance all of our capabilities in dealing with Transnational Security Threats,” he said. “We use events such as this workshop and our resident courses in



(l-r) Attorney Florentino Manalastas Jr. (ATC), DKI APCSS Director Pete Gumataotao, U.S. Ambassador Sung Y. Kim, and Philippine Secretary of National Defense Delfin Lorenzana.



U.S. Deputy Assistant Secretary of Defense for Special Operations and Combatting Terrorism Andrew Knaggs spoke at the workshop.

Honolulu, Hawaii, to help build and strengthen professional networks and expand existing cooperative relationships.”

Workshop participants came from 13 countries including: nine of ten ASEAN countries (Brunei, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam) as well as Australia, Bangladesh, New Zealand and the United States.

“It is important for us to work not just bilaterally but with all our neighbors. We are all committed to working together. This workshop helps build our relationships and our capacity for dealing with complex transnational issues such as violent extremism,” said Gumataotao.

In deliberations, participants identified eight broad priorities in strengthening regional collaboration against violent extremist networking. As ranked in an anonymous polling exercise, these were:

- Enhancing regional mechanisms to address violent extremist threats and networking (particularly ASEAN-related mechanisms).
- Strengthening information and intelligence sharing on vulnerabilities, radicalization pathways, and best practices against violent extremist networking.
- Promoting interfaith dialogues to strengthen community trust, understanding and tolerance.
- Promoting regional academic and research cooperation in violent extremist network analysis to overcome information sharing barriers.
- Strengthening cooperative working relationships

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among government, religious and non-governmental organizations against violent extremist networks.

- Strengthening counter narratives against violent extremist groups.
- Promoting shared regional capacity building for officials in countering violent extremism.
- Strengthening education as a tool of moderation (e.g., through government regulation, curriculum development, etc.)
- “We are at a cross-roads and we don’t know what to do because we’ve been looking at this for so long...” said workshop participant Bilveer Singh; pleasantly...surprisingly....all of us were here in a quest for answers. I think the one thing we discovered was we need a network of nations to fight this.”

Singh, a professor at the National University of Singapore, further stated that, “The most valuable thing we learned ... [is] we need a very, very superior, powerful, universal counter-narrative to defeat them (extremists) otherwise we’ll never win this war. So it is focused on intellect and heart...head–heart...in order to destroy what is going on out there. I think the take-away from here is that we

all need to go back and start focusing on the counter-narrative which is acceptable to all. We get it...we’ll win the war.”

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Maj. Gen. Restituto Padilla (APOC12-1) provides an overview of the Marawi siege in the Philippines.

DKI APCSS hosts Indo-Pacific Strategy Workshop

Discussing the principles for a free and open Indo-Pacific region formed the basis of a high-level workshop on “U.S. Strategy in the Indo-Pacific.” The workshop provided a platform for informal discussion between senior leaders in the region and senior U.S. administration officials involved in developing the Indo-Pacific strategy, which complements the U.S. National Security Strategy and the U.S. National Defense Strategy.

The two-and-a-half-day workshop was designed in concert with the Office of the Assistant Secretary of Defense for Asian and Pacific Security Affairs and held at the Daniel K. Inouye Asia-Pacific Center for Security Studies in Hawaii, April 4-6. It brought together 37 participants from 24 governments. International participants included defense, foreign affairs and national security agency officials at the ministerial, cabinet secretary and undersecretary level. U.S. participants were from the National Security Council, Department of Defense, Department of State, and the U.S. Pacific Command.

Under Secretary of Defense (Policy) John Rood provided opening comments from Washington, D.C., and emphasized the desire to uphold rules based on international order.

According to workshop academic lead, Dr. Lori Forman, “The goal of regional cooperation based on a common set of principles requires participants to not only hear from speakers, but to also engage with each other.



Thirty-seven defense, diplomatic, and national security officials from 24 governments participated in the “U.S. Strategy in the Indo-Pacific” workshop conducted at the Daniel K. Inouye Asia-Pacific Center for Security Studies.

Our workshops are uniquely suited to facilitate this essential discussion in an atmosphere of trust and candor.”

Other senior U.S. speakers included Matt Pottinger, Deputy Assistant to the President and Senior Director for Asian Affairs of National Security Council; Alex Wong, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs of the Department of State; and, Dr. Joseph Felter, Deputy Assistant Secretary of Defense for South and Southeast Asia.

Pottinger shared the U.S. vision for the region with a desire to see “countries upholding the sanctity

of sovereignty, respect for individual rights, and the rule of law.”

Deputy Assistant Secretary Alex Wong reiterated the U.S.’s commitment in the region with “five treaty allies and strong military partnerships in the region, the construct is unlike any other in the history of the world. We give more aid and direct foreign investment in the Indo-Pacific than any other nation; we are the number one trading partner, and we are the number one economic partner.”

Deputy Assistant Secretary of Defense for South and Southeast Asia, Dr. Joseph Felter, reiterated the goal to “strengthen alliances and attract new partners.”

According to DKI APCSS Director retired Rear Admiral Pete Gumataotao, “This was the first opportunity for senior U.S. officials from NSC, DOS,



Dr. Ashley Tellis, Tata Chair for Strategic Affairs and Senior Fellow from the Carnegie Endowment for International Peace, launched the workshop with remarks providing the historical context of U.S. engagement in the Indo-Pacific.



Above: Dr. Joseph Felter, Deputy Assistant Secretary of Defense for South and Southeast Asia provides opening remarks at the beginning of the workshop.

Above right: DKI APCSS Director Gumataotao closes out the workshop and thanks everyone for their participation.

and DOD to elaborate on the Indo-Pacific strategy with regional leaders and solicit their comments and reactions on content and implementation.”

The second day of the workshop included a rich discussion on the principles of a free and open Indo-Pacific. Participants provided valuable feedback on this approach and indicated key principles which align with their countries’ values.

The last workshop that addressed U.S. strategy in 2012 was focused on the rebalance strategy, which was announced earlier that year. Forman served as the lead for that workshop and credits successful outcomes this year to a strong team and building on the lessons learned from the 2012 effort. A key similarity this year was using sub regional and functional breakout groups to gather insights from different perspectives. 🍽️



12th ASEAN Working Group held at DKI APCSS



Seventy participants from 17 nations attended the 12th ASEAN Defence Minister’s Meeting Plus Experts’ Working Group on Humanitarian Assistance and Disaster Relief in Honolulu Jan. 21 - Feb. 2.

Admiral Harry Harris, Jr., Commander, U.S. Pacific Command, provided opening remarks at this second meeting co-hosted by Malaysia and the United States at the Daniel K. Inouye Asia-Pacific Center for Security Studies. The meeting included one and a half days of formal sessions and a day of information meetings. Attending the meeting were representatives from nine ASEAN countries and eight “plus” countries including the United States, Australia, Japan, India, Russia, China, New Zealand and the Republic of Korea.

The meetings focused on improving civil-military coordination mechanisms during HADR Operations.

For photos of this workshop, go to our Facebook page at <http://www.facebook.com/dki-apcss>