

# Regional organizations in the Indian Ocean region: possibilities of collaboration between IOMAC and IOR-ARC

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**Abstract—** In antiquity Sri Lanka acted as a fulcrum in the maritime trade routes linking East Asia with Africa and Europe. At present, in addition to playing the role of a trans-shipment hub linking India with the world, Sri Lanka could also fulfill a comparable function in China's burgeoning trade with Africa. Moreover, in the mid-1980s, Sri Lanka played a coordinating role in an ambitious effort at regional cooperation in marine affairs following closely on the footsteps of the United Nations Convention on the Law of the Sea (UNCLOS) with the Indian Ocean Marine Affairs Cooperation (IOMAC) Secretariat being located in Sri Lanka. While IOMAC did carry out many initiatives for facilitating regional cooperation in marine and maritime affairs in the late-1980s and the 1990s, the 1990 Arusha Agreement which was meant to establish IOMAC as an organization did not receive the necessary number of ratifications even by the late 1990s. In the meantime the Indian-Ocean Rim-Association for Regional Cooperation was formally launched in 1997 with Sri Lanka as a founder member with a Secretariat in Mauritius. While in the initial stages the IOR-ARC focused on economic cooperation in recent years it has started moving into maritime cooperation as well. Its maritime cooperation efforts include the establishment of a Fisheries Support Unit (FSU) and a Maritime Transport Council (MTC). In this latter process, the work already done by IOMAC on marine and maritime issues could be a valuable resource for IOR-ARC. In fact Australia has been a country which has over the years encouraged collaboration between IOMAC and IOR-ARC. With Australia assuming the Chairmanship of IOR-ARC this year for a period of two years (2013 and 2014), this might be an opportune time to initiate such cooperation. This paper will elaborate on the activities of IOMAC and IOR-ARC and make a case for collaboration between them.

**Keywords—** Indian Ocean region, IOMAC, IOR-ARC

## I. INTRODUCTION

In ancient times Sri Lanka functioned as a maritime hub between East Asia on the one hand and Africa and Europe on the other. Today not only does Sri Lanka function as a maritime hub connecting India with the rest of the world, but it also has the potential to play a similar role in China's growing trade with Africa.



Fig 1. A Map of Sea Lines of Communication

Source: www.people.hofstra.edu

While earlier definitions of the Indian Ocean have described it as connecting the four major land bodies of Africa, Asia, Australia and Antarctica, more recent definitions have tended to exclude Antarctica.

The Indian Ocean 'rim' consists of 29 littoral countries and 6 island countries. The Indian Ocean 'region' can either be limited to the 'rim' countries mentioned above or it can be expanded to include land-locked countries dependent on the Indian Ocean. Thus the number of states that comprise the Indian Ocean 'region' can vary from a minimum of 35 'rim' states to a maximum of 52 states when all the landlocked countries who already are, or could become, dependent on the Indian Ocean are included (Roy-Choudhury 1997: Note 4). This paper will examine two efforts at institutionalizing international cooperation in the Indian Ocean region, the Indian Ocean Marine Affairs Cooperation (IOMAC) and the Indian Ocean Rim-Association for Regional Cooperation (IOR-ARC), and makes a case for the coexistence and complementarity of IOMAC and IOR-ARC.

## II. INDIAN OCEAN MARINE AFFAIRS COOPERATION (IOMAC)

The IOMAC programme of cooperation was developed on the basis of the identification of national priorities at

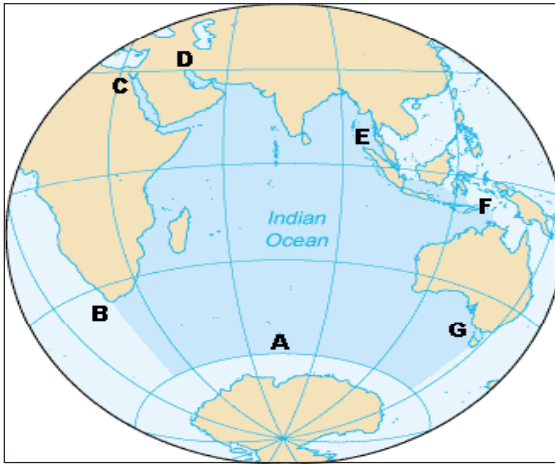


Fig 2. Map of the Indian Ocean  
Source: Luke (2010)

the Preparatory Meeting in June 1985, and deliberations thereon at the Consultative and Final Phases of the First Conference (IOMAC- I) in July 1985 and January 1987. In view of the considerable range of varying national requirements and wide scope of activities envisaged, it was found necessary to draw from the programme salient items of common interest which were brought together in a more focused plan of action. For purposes of practical implementation the IOMAC Secretariat undertook to prepare and implement a work programme under the guidance of the Standing Committee. The programme of cooperation was based on the deliberations of the Consultative Phase of the First Conference and provided an identification of areas for cooperation in respect of each of the principal sectors of IOMAC activity: marine science, technology and ocean services; living resources; non-living resources; ocean law, policy and management; marine transport and communications; and the marine environment. The Second Conference (IOMAC- II) reviewed the programme of cooperation and provided an appraisal and supplementary guidelines for future activities. In the plan of action, specific areas of cooperation were identified for implementation on an immediate, medium- or long-term basis. The First Conference noted that certain items for immediate implementation could of necessity also have a medium- and/or long-term character. It was further provided that elements of the programme of cooperation would be drawn on from time to time in the context of implementation of the plan of action for purposes of further elaboration and augmentation thereof under the aegis of the Standing Committee and in the context of the framework for cooperation. The rapid implementation of a wide-ranging work programme was a major achievement of IOMAC. Initiation of a number of new activities in areas not fully addressed by earlier and existing programmes as well as organizational mandates served to demonstrate the usefulness and effectiveness of a collective regional

undertaking committed to serving national needs. IOMAC organized comprehensive programmes of activity in each of the principle sectors through expert meetings followed by practical measures. Up to the mid-1990s the following were the salient aspects of IOMAC activities:

#### *A. Marine Science, Technology and Ocean Services*

On a proposal made by Tanzania, the Conference adopted the Resolution on a New Era of Indian Ocean Exploration which called for a systematic, coordinated long-term collective international effort to explore the Indian Ocean along the lines of the International Indian Ocean Expedition (1962-1965). This new effort however was required to concentrate on near-shore areas and to give emphasis to the needs of developing states, as well as to secure their participation. Taken in the light of the seaward extension of national jurisdiction and the new framework for the conduct of marine scientific research under the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the IOMAC Declaration of a New Era of Indian Ocean Exploration was expected to go some way in providing reassurance to developed nations conducting marine scientific research, as much as to strengthen the capabilities of developing Indian Ocean states in this field. A major IOMAC international marine science symposium was held in 1992. This provided an opportunity to review existing programmes, national priorities and new avenues for cooperative activities in the region. In addition to the important IOMAC-UN Technical Workshops held in Colombo (1986) and in Karachi (1989) on space technology applications, IOMAC prepared a manual on Remote Sensing Applications for the Indian Ocean region, began initiating a number of pilot projects, and held a training workshop in the region in 1992.

#### *B. Living Resources*

The IOMAC- I Preparatory Meeting as well as the First Conference at its Consultative Phase in 1985, and the Final Phase in 1987, for the first time took cognizance at intergovernmental level of the rapid development of a major industrial-scale distant water tuna fishery in the Indian Ocean in the early 1980s, and called for the early establishment of an appropriate regulatory body for management of Indian Ocean tuna. Subsequent IOMAC meetings, especially at the Standing Committee, kept relevant developments under review, and acted as a catalyst for deliberations on the establishment of such a body, which eventually emerged under the auspices of the Food and Agriculture Organization (FAO) in the form of the Indian Ocean Tuna Commission (IOTC). In January 1989 a group of IOMAC fisheries and legal experts met in Jakarta to prepare common positions for intergovernmental deliberations on the subject. In this context, IOMAC had consistently maintained the importance to be attached to the participation of distant water fishing nations (DWFNs) in a future management regime that would

ensure its effectiveness, as well as emphasized the importance of providing for the increased participation of developing Indian Ocean states in harnessing the resource. Furthermore, the Seventh Meeting of the IOMAC Standing Committee adopted a Declaration banning the use of large-scale drift nets in the Indian Ocean.

#### *C. Non-Living Resources*

In July 1988 the IOMAC Meeting on Offshore Prospecting for Mineral Resources in the Indian Ocean hosted by the Government of Pakistan in Karachi, generated a strong intergovernmental mandate for initiating a programme of cooperation in this field, with the collaboration and assistance of states with technologically advanced capabilities in this field.

#### *D. Ocean Law, Policy and Management*

IOMAC regularly conducted marine affairs management training in collaboration with the International Ocean Institute (IOI). The annual IOMAC-IOI Marine Affairs Training Programmes were held in Arusha, Kuala Lumpur, Cairo, and Mauritius. Each 10-week course accommodated 25 participants from developing Indian Ocean states and provided training in integrated ocean/ marine affairs management to mid-level career officers responsible for managing marine activities in their countries.

#### *E. Maritime Transport and Communications*

The Second Conference endorsed a number of proposals made by the IOMAC Meeting of Experts in Shipping and Port Development hosted by the Government of Kenya and held in Mombasa in August 1990. In July 1991, the Seventh Meeting of the Standing Committee adopted and recommended for governmental approval, terms of reference for the IOMAC Association of Shipping and Port Authorities. It was envisaged that some of the cooperative measures identified would be taken up for implementation by the Association.

#### *F. Marine Environment*

Dumping of hazardous waste and toxic materials, pollution of the sea by oil, and potential adverse impact on the marine environment of proposed deep seabed mining were the issues taken as relevant. In 1988, the Third Meeting of the IOMAC Standing Committee reviewed these specific aspects of concern to Indian Ocean countries and recommended that the Secretary-General identify an effective mechanism to monitor and develop regional capabilities of coastal states for prevention of such environmental hazards with assistance from the competent international agencies. Following consultations between the International Maritime Organization (IMO) and the IOMAC Secretariat, the Seventh Meeting of the Standing Committee requested the Secretariat to take necessary steps in consultation with the IMO, United Nations Environment Programme (UNEP) and other interested entities for the early establishment of an Indian Ocean network.

#### *G. Interests and Needs of Land-Locked States*

Accommodation of the interests of land-locked nations in the context of marine affairs was recognized very early by IOMAC as a logical corollary to the rights of land-locked countries in respect of access to living resources, and access to and from the sea incorporated in to UNCLOS. Although a technical meeting on the subject was planned under the joint coordination of Uganda and Nepal, this was deferred in favour of an expert study on key issues and current trends.

#### *H. Training, Information and Other Fields Relevant to Co-operation in Marine Affairs*

Work on the establishment of an Indian Ocean Marine Affairs and Aquatic Resources Information System (IO-MAARIS) commenced in 1987, at the Second Meeting of the Standing Committee. The Committee reviewed and endorsed the IOMAC/ United Nations Conference on Trade and Development (UNCTAD)/ United Nations Development Programme (UNDP) sponsored Mission Report which detailed three major components of the proposed system: the institutional element involving the creation of three nodes in the region as a first step; training and educational element; and an outputs element. The IOMAC Information Workshop held in Jakarta in February 1990 reviewed and identified a number of practical measures for putting into operation the proposed information system. Furthermore the Secretariat published an Indian Ocean Newsletter which provided an update on IOMAC activities and other related developments (Jayawardene 1994).

By 1998 however, only six states (Indonesia, Kenya, Mauritius, Mozambique, Pakistan and Sri Lanka) had ratified the 1990 Arusha Agreement (IOMAC II), even though a further three (Iran, Nepal and Tanzania) had signed it. In accordance with Article 16 of this agreement it required ratification by a minimum of ten states to enter into force. Moreover major Indian Ocean states such as India, Australia and South Africa did not become members of IOMAC (Roy-Choudhury 1998). Nevertheless Australia, which is the current Chair of IOR-ARC has shown some interest in IOMAC.

### III. INDIAN OCEAN RIM-ASSOCIATION FOR REGIONAL COOPERATION (IOR-ARC)

The IOR-ARC Charter adopted in 1997 consists of 11 Articles outlining the fundamental principles, objectives, membership, institutional mechanism, national focal points, the Indian Ocean Rim Business Forum (IORBF) and Indian Ocean Rim Academic Group (IORAG), and financial arrangements. The Charter makes it clear that the focus of the association is on economic cooperation. Article 2 (iv) excludes from the deliberations "bilateral and other issues likely to generate controversy and be an impediment to regional cooperation efforts". Article 2 (iii) stipulates that all decisions are to be taken on the basis of consensus. The Chairman's Report on Indian Ocean Rim Initiative (IORI)

Working Group Meetings, delivered to the Second IORI Inter-Governmental Meeting (IGM), held in September 1996, clarified that the Charter is not a treaty; the IOR-ARC is not a preferential trading bloc; and that member states are committed to the principle of non-discriminatory treatment to one another, and, on the basis of Most Favoured Nation (MFN) status, to all those who are also World Trade Organization (WTO) members. Articles 2(ii) and 4 of the Charter kept open the possibility of further expansion of membership, but limited it to sovereign states of the Indian Ocean rim. The Working Group on Membership established at the first Ministerial Meeting, held in March 1997, was to go into all issue relating to membership and other forms of association such as observership, guest status, and dialogue partnership. The Work Programme endorsed by the first Ministerial Meeting consisted of the following ten projects:

- Cooperation in Standards and Accreditation
- Indian Ocean Rim Business Centre and Indian Ocean Rim Network (IORNET)
- Investment Facilitation and Promotion
- IOR Chair in Indian Ocean Studies and Associate
- Fellows
- Trade Promotion Programme and IOR Trade Fair
- Development, Upgrading and Management of Seaports, Maritime Transport, Insurance and
- Re-insurance
- Human Resource Development Cooperation
- Working Towards Complementarity – A Comparative Analysis of Existing Multilateral and Regional Economic and Trade Policy Arrangements and Processes
- Tourism Promotion and Development
- Technology Enhancement in the Indian Ocean Region

According to Article 2(vii) of the Charter the Work Programme was to be undertaken by member states on a voluntary basis. In accordance with the tri-partite nature of IOR-ARC, Article 9 of the Charter gives the IORBF and the IORAG a major role in establishing priorities of economic cooperation, coordination of the Work Programme, and mobilization of resources for its financing, and provides that the IORBF and IORAG may meet together with the Council of Ministers and the Committee of Senior Officials as mutually decided. Articles 5,6 and 7 of the Charter set out the institutional arrangements of IOR-ARC to consist of a Council of Ministers, a Committee of Senior Officials and a Secretariat. The Council is to meet at least once in two years and Committee is to meet as often as required. The Council is to formulate policies, review progress and take decisions on new areas of cooperation. The Committee will establish priorities of economic cooperation, coordinate the Work Programme, and mobilize financial resources. The Secretariat, set-up in Mauritius, was to avoid excessive bureaucracy and function as a 'pilot mechanism' for

co-ordination, servicing and monitoring of policy decisions (Roy-Choudhury 1997).

Sri Lanka hosted the Ministerial Meetings in 2003 and 2004 in Colombo. The ninth and tenth Ministerial Meetings were held in 2009 and 2010 respectively at Sana'a, Yemen. The eleventh and twelfth Ministerial Meetings were held in India at Bengaluru in 2011 and at Gurgaon in 2012. By November 2012 the association had 20 Members, 6 Dialogue Partners and 2 Observers. While for quite some time since its inception in 1997 the IOR-ARC focused on economic cooperation, at least since the ninth Ministerial Meeting in 2009 its agenda has begun to broaden to include maritime issues.

#### IV. THE CASE FOR COLLABORATION

There are two important lessons the IOR-ARC can learn from IOMAC. One is in the area of fisheries and the other is in the area of maritime transport. Since the ninth Ministerial Meeting in 2009 at Yemen the IOR-ARC agenda has shown signs of broadening to include a Fisheries Support Unit (FSU) and a Maritime Transport Council (MTC). A Memorandum of Understanding on the FSU was adopted during the ninth Ministerial Meeting at Yemen in 2009. The FSU aims to foster greater cooperation among IOR-ARC Member States in sharing experiences, consolidating and mobilizing resources and enhancing fish trade activities in accordance with broader international efforts to promote sustainable fisheries practice. It also seeks to find solutions to threats facing the fishing industry such as illegal fishing, over-fishing, depletion of stocks and pollution. The lesson that IOR-ARC can learn from IOMAC in the area of regional fisheries cooperation is to include a mechanism for the participation of extra-regional countries who engage in distant water fishing in the Indian Ocean. Countries from Europe and East Asia engage in distant water fishing in the Indian Ocean and the above stated objectives of IOR-ARC's FSU cannot be effectively achieved without securing the participation of extra-regional countries that engage in distant water fishing in the Indian Ocean.

The document establishing the MTC was adopted during the tenth Ministerial Meeting at Yemen in 2010. The MTC aims to facilitate maritime transport and strengthen maritime transport cooperation in the region. UNCLOS recognizes the right of landlocked countries to use the ocean as a transport surface. As is well known most long distance trade is transported by sea and most land-locked countries are dependent on seaborne transport for the supply of commodities needed by their people. The lesson that IOR-ARC can learn from IOMAC in regional transport cooperation is to give due consideration to the rights of land-locked countries as required by UNCLOS.

#### V. CONCLUSION

In a paper published in 2002 the late Prof. Kenneth McPherson of Australia had noted that the IOR-ARC was

too narrowly focused on trade facilitation and had argued that the agenda of IOMAC, an initiative which has done a great deal of work on marine and maritime issues, was worth revisiting by IOR-ARC (McPherson 2002). The work already done by IOMAC on living resources and maritime transport could be of relevance in achieving the objectives of the IOR-ARC's FSU and MTC. This could be a sound basis for collaboration between IOR-ARC and IOMAC. This will have the additional benefit of avoiding duplication and saving scarce resources. In this regard, an eight volume compendium titled *IOMAC Official Documents* to be found at the IOMAC Secretariat in Colombo, Sri Lanka, which contains a comprehensive set of documents on IOMAC activities, should prove to be extremely helpful. This compendium could be a valuable resource for IOR-ARC's planned expansion into the above mentioned areas. The two cooperation efforts should build on complementarities and forge a synergy, with IOR-ARC drawing upon IOMAC's long-standing track-record and specialization. Given the widening scope of IOR-ARC's activities this could well be a sensible course of action to take. Specifically, the lessons that IOR-ARC can learn from IOMAC are to include a mechanism for the participation of extra-regional DWFNs in fisheries cooperation and to give due consideration to the rights of land-locked countries in accordance with UNCLOS in regional transport cooperation. With Australia assuming the Chairmanship of IOR-ARC this year for a period of two years (2013 and 2014), this might be an opportune time to initiate such cooperation. Such collaboration will be of much use to regional marine and maritime affairs cooperation in the Indian Ocean region.

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