



Vietnam–India Maritime Cooperation

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ABSTRACT

Vietnam–India relations have been nurtured over several centuries. In recent years, the bilateral political relationship has been upgraded to strategic and comprehensive strategic partnership in 2007 and 2016, respectively. There has also been proactive growth in all sectors of the bilateral relationship, across economic, cultural and strategic dimensions, including maritime cooperation. In the context of increasing security challenges and threats to the freedom of navigation and overflight in the South China Sea, along with other non-traditional security issues in the maritime domain such as piracy and terrorism, there is a critical need for an enhanced Vietnam–India maritime cooperation. This paper examines the current status of maritime cooperation between Vietnam and India, and affirms urgent requirements making two countries deepen their maritime cooperation.

KEYWORDS

Vietnam-India relations;
Vietnam-India maritime
cooperation; Vietnam-India
strategic partnership; the
South China Sea; piracy and
armed robbery; terrorism

Background

The current Vietnam–India comprehensive strategic partnership has been developed and nurtured on a background of links that go back thousands of years. The relationship dates back to the latter half of the 2nd century AD when two Indian Buddhist monks – Mahajavaka and Kalyanakuri – came to Vietnam. From the 2nd century to the 13th century, the cultural links, particularly the Buddhism connections, including the Zen and Tantrism branches, have thrived between the countries. The early Buddhist exchanges between India and Vietnam took place peacefully through the sea route. As a result, Buddhism has had a strong and constant influence on Vietnam’s history over the past 2000 years.¹

Vietnam and India supported each other in their struggles for independence, especially during Vietnam’s wars against France and the United States. India also proved that it was one of the most trusted friends of Vietnam: “Pandit Jawaharlal Nehru was one of the first visitors to Vietnam after its victory against the French at Dien Bien Phu in 1954”.² The Indian President Rajendra Prasad’s visit to Vietnam in 1959 was embroiled in an atmosphere of conflict in Vietnam, Laos and Cambodia. In Vietnam’s war for independence, Indian leaders supported Vietnam and logged a protest against the United States invasion. Indian foreign minister Atal Behari Vajpayee cut short his official visit to China in 1979 in protest against “punishment” of Vietnam

on the question of Khmer Rouge in Cambodia.³ During the 1980s, India upheld Vietnam's support for Hun Sen in Cambodia.⁴

After the Cold War, India launched the Look East Policy and this was in line with Vietnam's policy of diversifying its international relations. This resulted in their relationship being upgraded to strategic and comprehensive strategic partnership in 2007 and 2016, respectively. The 2007 Joint Declaration on Vietnam–India Strategic Partnership states that the two sides “agreed to establish a Strategic Dialogue at the level of Vice Ministers in the Foreign Office”.⁵ As a result, the first strategic dialogue between Vietnam and India took place in New Delhi on 15 October 2009. Five such strategic dialogues were held until August 2016, before the bilateral relationship was upgraded to a comprehensive strategic partnership in September 2016.⁶

At regional and international fora too, Vietnam and India have supported each other on strategic and political issues. Vietnam supports India's Look East Policy and Act East Policy and welcomes India's engagement in the Asia-Pacific through regional cooperation mechanisms. Thanks to support of Vietnam and its other partners in the Asia-Pacific region, India has enjoyed an increasing presence in cooperation mechanisms in the region such as the Association of Southeast Asian Nations (ASEAN)–India Summit meetings, the East Asia Summit (EAS), and the ASEAN Defence Ministers Meeting Plus (ADMM+). India, along with other nations as members of EAS (excluding the United States and Russia), is negotiating to conclude the Regional Comprehensive Economic Partnership (RCEP) for which negotiations were formally launched in November 2012. Vietnam consistently supports India's candidature for permanent membership of a reformed and expanded United Nations Security Council (UNSC).

In terms of trade, the early links between the two countries were established by Indian merchants who sailed to Vietnam. There was discontinuity in terms of trading contacts between the two countries due to the wars in Vietnam. However, after the Cold War, Vietnam–India trade relations have made significant progress. According to the data released by Department of Commerce (Ministry of Commerce and Industry, Government of India), the trade between the two countries reached US\$ 9.26 billion in 2015–2016 from US\$ 642.46 million in 2005–2006; the portion of India–Vietnam trade in India's total trade has also shown a notable increase, from 0.33% in 2005–2006 to 1.22% in 2015–2016.⁷ According to data of the General Statistics Office of Vietnam, the value of trade between Vietnam and India increased from US\$ 693.8 million in 2005 to US\$ 5.129 billion in 2015, and, as a result, the portion of trade with India in Vietnam's total trade increased from 1% to 1.56%.⁸ India was one of Vietnam's top 10 trading partners in 2015.⁹ In terms of investment, Vietnam has become an attractive destination for Indian companies, which had 118 investment projects worth US\$ 439 million in Vietnam by the end of 2015, ranking their country 28th among 62 countries and territories having investments in this country.¹⁰

In essence, India and Vietnam have enjoyed strong trust for decades. The strategic partnership between Vietnam and India is based on “traditional friendship, mutual understanding, strong trust, support and convergence of views on various regional and international issues”.¹¹ Indian President Pranab Mukherjee said that “political relations between India and Vietnam have always been strong and cloudless”.¹² This is the most

important foundation for strategic cooperation between the two countries in all fields, including maritime cooperation.

Current Situation of Maritime Cooperation

Vietnam–India maritime cooperation encompasses many fields of cooperation. In this paper, however, the focus will be on the cooperation of the two countries in oil and gas exploration in the South China Sea, and maritime security at the bilateral level. India has paid more attention to oil and gas sources in the South China Sea and it began cooperation with Vietnam in this respect at the end of the 1980s:

Vietnam is ONGC Videsh Ltd (OVL)’s first partner country. On May 19, 1988, it signed a petroleum sharing contract with PetroVietnam for three blocks 06, 12E and 19 in Nam Con Son basin, about 370 km offshore of Vietnam ... The exploration efforts of OVL, along with British Petroleum and PetroVietnam, in South China Sea in 1992 and 1993, led to the discovery of the Lan Do and Lan Tay gas fields. The project, which has reserves of around 58 billion cubic meters, will yield about three billion cubic meters of gas a year.¹³

OVL acquired two offshore exploration blocks, 127 and 128, in Vietnam’s Exclusive Economic Zone (EEZ) in the South China Sea in June 2006 as an operator with 100% stake. However, “OVL already relinquished the block 127 after it failed to find any hydrocarbons there”.¹⁴ In July 2012, OVL “has accepted Vietnam’s proposal to stay invested in Block 128 as Hanoi has offered additional data that can help to make future exploration economically feasible and discovering hydrocarbons commercially viable”.¹⁵

Although India’s oil and gas exploration and exploitation activities in the South China Sea, officially, are purely economic, the initiative has strategic implications. From the Indian side, according to Baladas Ghoshal, “there is strong political motivation behind the exploration projects” because “India is willing to fish the troubled waters of the South China Sea so as to accumulate bargaining chips on other issues with China”.¹⁶ As a responsible member of the international community, India is protecting international law by conducting economic activities at blocks granted by Vietnam in the latter’s EEZ in conformity with international law, especially the United Nations Convention on the Law of the Sea (the 1982 UNCLOS). The projects could also be seen as an evidence of asserting that China’s nine-dashed line map is not legal, so China has no right to oppose India or any countries’ activities of oil and gas exploration and exploitation granted by Vietnam in its EEZ. The award of the Permanent Court of Arbitration (PCA) on 12 July 2016 officially rejected the legal basis of China’s claim to historic rights in the “nine-dash line” in the South China Sea.¹⁷

Vietnam–India maritime security cooperation has made significant achievements including India’s support to Vietnam in the maritime space in the South China Sea. Indian naval ships frequently visit ports in Vietnam, which is supplemented by India’s assistance to Vietnam in maritime capacity building. The two countries have also had maritime security cooperation at a multilateral level. In the context of China’s growing assertiveness and aggressiveness in the South China Sea, India’s viewpoints on the dispute have reflected the close cooperation between Vietnam and India in supporting and protecting international laws, including the 1982 UNCLOS. After Defence Minister A.K. Antony underlined India’s commitment to improving the safety of navigation in the region¹⁸ at

the first ADMM+ meeting in Hanoi in 2010, India began to publicise its official viewpoint on the South China Sea dispute, especially after Chinese violated India's activities of conducting the freedom of navigation in the South China Sea in the INS *Airavat* incident in July 2011. In statements thereafter, India has always highlighted its support for freedom of navigation in international waters, including in the South China Sea, and the rights of passage in accordance with accepted principles of international law.¹⁹ India also affirmed that Chinese objections to Indian OVL's oil and gas exploration in EEZ of Vietnam had "no legal basis".²⁰ Indian naval official even publicised the Indian navy's preparedness of naval deployment to protect its interests in the South China Sea, including OVL's oil exploration blocks granted by Vietnam.²¹ Significantly, Indian Prime Minister Manmohan Singh even used the term "East Sea" to refer the East Sea/South China Sea in his speech at the banquet hosted in the honour of the General Secretary of the Communist Party of Vietnam Nguyen Phu Trong in November 2013.²² Since 2011, the term East Sea/South China Sea has been used instead of the term South China Sea in Vietnam-India bilateral documents.²³

Indian naval friendship visits to Vietnam have been important for Vietnam-India maritime cooperation:

Since 2010, there has been a concerted effort at augmenting maritime security cooperation in Southeast Asia. With regular forays by Indian naval ships to the Western Pacific and regular exercises with regional navies, India has displayed a clear commitment to the security of the Southeast Asian littorals.²⁴

As a result, every year since 2000, India's naval ships have paid visits to major ports of Vietnam such as Dinh Vu (Northern province of Hai Phong), Tien Sa (Central province of Da Nang) and Saigon (in Ho Chi Minh city), Nha Trang (province of Khanh Hoa). The Indian navy was even reported to have been "perhaps the only foreign navy in recent times to have been given this privilege by the Vietnamese at a port other than Halong Bay, near Hanoi".²⁵ The frequency of friendship visits to Vietnam by India's naval ships in Hai Phong province, near Hanoi, led to building confidence, and an Indian government source noted, "the move will give India the key to a sustainable presence in the South China Sea".²⁶

Beside friendship visits, the navies of the two countries have conducted joint exercises in the South China Sea: "The Indian navy has been deploying through the South China Sea since 2000, generally twice a year, which has involved its own unilateral practice, as well as bilateral port calls and exercises with local actors, particularly Vietnam".²⁷ Although having faced challenges from China, notably the INS *Airavat* incident in July 2011, India and Vietnam have been making efforts to implement their commitments legally. As a result, a Vietnam-India joint naval exercise took place in the South China Sea on 8 June 2013.²⁸ In May 2015, Indian Naval Ships *Satpura* and *Kirch* under the Command of the Flag Officer Commanding Eastern Fleet, Rear Admiral S.V. Bhokare, arrived at Cam Ranh Bay in Vietnam on a four-day visit, as part of the deployment of the Eastern Fleet to the South China Sea and Western Pacific. The visiting ships also planned to conduct exercises with the Vietnam People's Navy, aimed at enhancing interoperability in communication as well as search and rescue procedures, post departure from Cam Ranh Bay.²⁹ India was to be Vietnam's only partner in terms of joint naval

exercises until Vietnam and Japan conducted their first-ever joint naval exercise in February 2016.³⁰

The cooperation between the navies of Vietnam and India should be described as especially strategic. In the context of the increasing importance of the Cam Ranh Bay, there have been discussions over which countries should be granted permission to call and use the port in Nha Trang. The Indian navy has established a sustainable maritime presence as its warships have been granted permission to drop anchor³¹ and use the port just south of China's new naval base at Sanya on Hainan Island.³² According to David Scott, "greater use of Cam Ranh deep water bay by the Indian navy would also be significant".³³

Beside cooperation between the two countries in the above mentioned fields, India has been making efforts to support Vietnam in terms of building maritime capacity, including personnel training, upgrading military equipment, and providing it with strategic weapons. During the visit of Indian Defence Minister George Fernandes to Vietnam in 2000, Vietnam and India signed agreements under which training cooperation, among other things, was a very focal field such as joint naval training, jungle warfare training, counter-insurgency training, and air force pilots training in India. In the maritime domain, India has been helping train Vietnamese personnel – especially submarine operators and pilots. Since the Vietnamese navy has modern submarines, including the Kilo class (Russian-built Project 636 Varshavyanka), the Indian navy has begun training a large number of Vietnamese sailors in submarine operations and underwater warfare. The ongoing "comprehensive underwater combat operations" training for these Vietnamese sailors is in progress at the Indian navy's INS Satavahana (Submarine School) in Visakhapatnam.³⁴ During the visits of Vietnamese Defence Minister Ngo Xuan Lich to India, an agreement to train Vietnam Air Force pilots in India was signed,³⁵ which could enhance Vietnam's capability in the maritime domain.

During his visit to Vietnam in 2007, Indian Defence Minister A.K. Antony also announced that India would transfer 5000 items of naval spares belonging to the Petya class of ships to Vietnam. During the visit of Indian Prime Minister Narendra Modi to Vietnam in September 2016, India and Vietnam signed 12 agreements, including one agreement signed with Larsen & Turbo (L&T) to utilise US\$ 100 million of the US\$ 500 million defence line of credit India offered to Vietnam to build patrol boats.³⁶ Under the agreement, L&T will build high-speed patrol vessels designed in India for combat and to protect sea security and sovereignty, and to control illegal activities such as smuggling, as well as engaging in search-and-rescue missions. Importantly, L&T will also provide transfer design and technology, as well as supplying equipment and material kits to construct follow-on vessels at a Vietnam shipyard.³⁷ The move is very significant because India is the second country which has joint construction of military equipment (after Russia) to Vietnam.

Vietnam has asked India for the BrahMos missiles made by an Indo-Russian joint venture in 2011.³⁸ Until September 2014, New Delhi was in talks with Hanoi for the supply of these missiles to Vietnam.³⁹ In February 2017, India and Vietnam held talks on the sale of not only BrahMos but also Akash missiles to Vietnam.⁴⁰ Although the sale of the supersonic BrahMos missiles was requested by a dozen countries such as South Africa, Chile, Brazil, United Arab Emirates, and other countries in Southeast Asia such as Indonesia, Malaysia, the Philippines, and Thailand,⁴¹ the negotiations with

Vietnam are important for the Vietnam–India comprehensive strategic partnership, under which maritime security cooperation between the two countries plays a critical role. The BrahMos missile range of 290 km will significantly contribute to the Vietnamese armed forces' capability, especially in terms of protecting the maritime domain.

An Enhanced Maritime Cooperation Demand

In the wake of China's increasing assertiveness and aggressiveness in the South China Sea, and other factors such as piracy and armed robbery against ships, and the threats of terrorism in Indo-Pacific waters, there are obvious requirements for enhancing maritime cooperation, particularly maritime security, between Vietnam and India. The PCA's final rulings of 12 July 2016 in the "Matter of the South China Sea Arbitration between the Republic of the Philippines and the People's Republic of China" has legitimacy, but there are no world police to compel powerful nations to comply with international justice.⁴² China, as per the head of its navy, will "never stop" construction of illegal man-made islands in the South China Sea.⁴³ Importantly, China on one hand states that it "respects and safeguards the freedom of navigation and over-flight in the South China Sea to which all countries are entitled under international law".⁴⁴ On the other hand, it seems inclined to allow freedom of navigation permitted in international seas/waters by the UNCLOS⁴⁵ under the premise of "navigation through the territorial sea under the jurisdiction of a state".⁴⁶ This means that navigation (and overflight) in the South China Sea would be forced to comply with the rights and duties of China, and subject to its security interests and sovereign rights⁴⁷ as stipulated in Articles of 21 and 58 of the UNCLOS. In this situation, freedom of navigation in international waters and EEZs of other countries in the South China Sea will be violated by China.

China's warning to the Indian navy in the *Airavat* case in 2011 should be recognised as an action violating freedom of navigation in the South China Sea. When China hardens its ability to control the sea lines of communication (SLOCs) in the South China Sea, supported by military infrastructures built on artificial islands in the Spratlys group of islands, it will be in a position to threaten ships passing through the South China Sea, within the nine-dash line. Beside the US, it is likely that no other country would challenge China directly. There should therefore be collective efforts by all countries, including Vietnam and India, having interests in this sea to maintain and protect freedom of navigation. In other words, maritime security cooperation between Vietnam and India, who have interests in the South China Sea, is a must.

The threat of piracy and armed robbery against ships in the Indian Ocean, Malacca Strait and South China Sea also demand cooperation between the two countries:

Over 97 per cent of India's trade by volume and 75 per cent by value is sea borne. If one follows the "direction of trade", nearly 50 per cent of Indian trade is east bound and transits through the Straits of Malacca through which over 60,000 vessels transit annually.⁴⁸

According to data from the World Shipping Council, India and Vietnam were among the top 10 exporters–importers of containerised cargo in the world⁴⁹ in 2010, 2013 and 2014. Vietnam, for its part, has a long coastline of 3,260 kilometres and one million square kilometres of Exclusive Economic Zone (EEZ), and its territorial waters that can be exploited are three times larger than the mainland, offering ideal conditions to

develop sea shipping, aquaculture, oil and gas exploitation and tourism. It is now considering a new strategy to develop a sea-borne economy to help foster economic growth, create more jobs and ensure territorial security.⁵⁰ According to the annual reports of the International Maritime Organization, the most affected areas by acts and attempted acts of piracy and armed robbery against ships were the South China Sea, the Malacca Strait, Indian Ocean and East Africa. The total incidents that occurred in those seas accounted for 80.3% (106/132), 81.58% (217/266) and 78.2% (237/303) of total incidents reported in the whole world.⁵¹ Among those, the number of attacks that took place in the Strait of Malacca and the South China Sea were the highest, 134 (in 2015) and 142 incidents (in 2013), respectively. This means that the passage of ships of any country, including those of India and Vietnam, through that route could be threatened by piracy and armed robbery.

Additionally, maritime terrorism is still a significant threat to both Vietnam and India, whose trade heavily depends on the safety and security of the SLOCs. Moreover, maritime terrorism seems to have decreased in recent years, but the threat of sea-based terrorism aimed against targets on land poses the requirement for collective efforts of the regional and international community. The “26/11” Mumbai attacks in 2008 and the plot to fire a rocket into Singapore’s Marina Bay⁵² reported in August 2016 are a dramatic illustration of this threat, especially in the context of the spread of the Islamic State activities in the region, including the seas in Southeast Asia and Indian Ocean.

Conclusion

National interests of each country in the context of regional and international rapid changes have encouraged both Vietnam and India to enlarge and upgrade their bilateral relationship. As a result, maritime cooperation has gained importance. The continuity of OVL’s oil and gas exploration, and India’s readiness to deploy forces to protect its interests in Vietnam’s EEZ, help in protecting good order at sea. India’s commitment to supporting and protecting freedom of navigation in the South China Sea is in conformity with international law, including the 1982 UNCLOS, which proves India’s role as a security provider in the maritime domain in Indo-Pacific region. The maritime security cooperation between the two countries has gone beyond the traditional means such as naval ship visits and the sale/purchase of military equipment; instead Vietnam and India have deepened their bilateral relations to the level of strategic partnership since the latter has trained the sailors operating submarines and pilots flying Sukhoi Su-30 jets, supplied patrol boats and, most importantly, transferred design and technology to Vietnam, as well as supplying equipment and material kits to construct follow-on vessels at Vietnam’s shipyards.

As a security provider, India’s presence in the West Pacific, especially in the South China Sea, will be sustained because “Vietnam along with other Southeast Asian nations perceive[s] India as a benign power whose peaceful rise accrues significant strategic benefits for her to play a larger role in the region”.⁵³ For its part, the demand for Vietnam’s military modernisation is a must to secure the activities of exploiting maritime economic potentials in its EEZ as well as protecting its sovereignty in the South China Sea. Moreover, Vietnam recently has not only been the receiver when it sent the Dinh Tien Hoang frigate for a friendship visit to the port in India and participated in the International Fleet Review hosted by the latter in February 2016.⁵⁴ In the context of

China's increasing aggressiveness in the South China Sea and its ambition of increasing influence in the Indian Ocean, the threats of piracy and armed robbery against ships and the dangers of sea-based terrorism aiming at targets on land in the Indo-Pacific, there is a real and urgent need for upgrading and deepening Vietnam–India maritime cooperation.

Notes

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