



CICP Working Paper

No. 32

Cambodia: Maritime Security Challenges and Priorities

Chheang Vannarith

Cambodian Institute for Cooperation and Peace

January 2010

With Compliments

This Working Paper series presents papers in a preliminary form and serves to stimulate comment and discussion. The views expressed are entirely the author's own and not that of the Cambodian Institute for Cooperation and Peace

Published with the funding support from
The International Foundation for Arts and Culture, IFAC

About Cambodian Institute for Cooperation and Peace (CICP)

The CICP is an independent, neutral, and non-partisan research institute based in Phnom Penh, Cambodia. The Institute promotes both domestic and regional dialogue between government officials, national and international organizations, scholars, and the private sector on issues of peace, democracy, civil society, security, foreign policy, conflict resolution, economics and national development.

In this regard, the institute endeavors to:

- organize forums, lectures, local, regional and international workshops and conference on various development and international issues;
- design and conduct trainings to civil servants and general public to build capacity in various topics especially in economic development and international cooperation;
- participate and share ideas in domestic, regional and international forums, workshops and conferences;
- promote peace and cooperation among Cambodians, as well as between Cambodians and others through regional and international dialogues; and
- conduct surveys and researches on various topics including socio-economic development, security, strategic studies, international relation, defense management as well as disseminate the resulting research findings.

Networking

The Institute convenes workshops, seminars and colloquia on aspects of socio-economic development, international relations and security. So far CICP has published nearly a hundred books, papers and articles in various development issues and we are affiliated with many regional and global academic networks including a regional association of similarly-oriented think tanks known as the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), Council for Security Cooperation in the Asia Pacific (CSCAP), East Asian Development Network (EADN) and Global Development Network (GDN). Recently, CICP is one of the founding members of Economic Research Institute for ASEAN and East Asia (ERIA), which is initiated by Ministry of International Trade and Industry (MITI) Japan.

Cambodian Institute for Cooperation and Peace, CICP

Pum Paung Peay, Sangkat Phnom Penh Thmey, Khan Russey Keo,

Phnom Penh, Kingdom of Cambodia

P.O.Box 1007, Phnom Penh, Cambodia

Phone: 85512 819953

Tel: 85516 982558

Fax: 85516 982559

Email: cicp@everyday.com.kh

Website: <http://www.cicp.org.kh>

Abstract:

The paper discusses the challenges and opportunities of Cambodia's maritime security in the context of Cambodia's relations with its neighbors and international cooperation. Cambodia's maritime territory is vulnerable to international terrorism and conflict with its neighbors over the unclear overlapping maritime border and offshore potential gas and oil exploration. Cambodia's navy has been upgraded with the support from many countries especially Australia, China, and the United States. Cambodia still need more efforts and resources in modernizing navy forces and guarantees maritime security.

About the Author:

Chheang Vannarith has been serving as an executive director of CICP since May 2009. He got his doctoral degree in Asia Pacific Studies from the Ritsumeikan Asia Pacific University in Japan. He got MA in International Relations from the International University of Japan and BA in International Relations from the Diplomatic Academy of Vietnam. He got a graduate certificate in Leadership from the East West Center, Hawaii. His research interest includes international relations and political economy of regional integration in the Asia Pacific region, human security, sustainable development, and climate change.

Cambodia: Maritime Security Challenges and Priorities

By

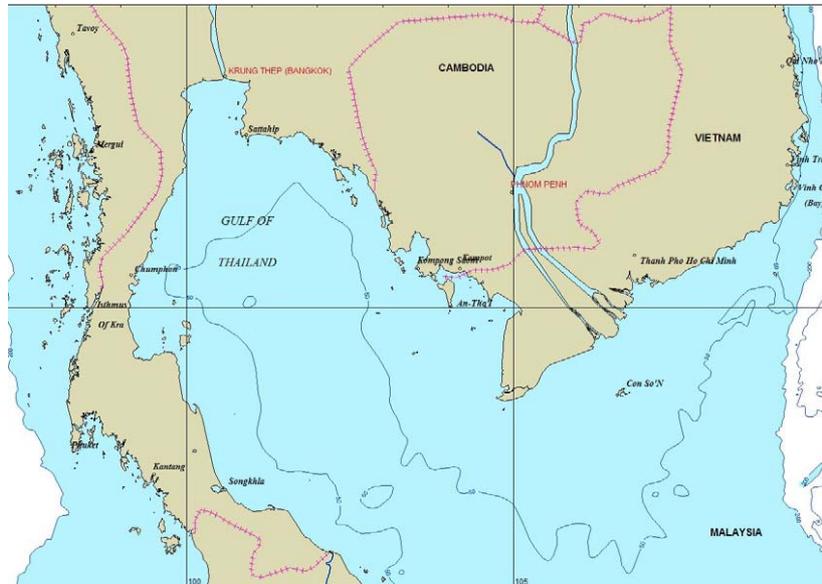
Chheang, Vannarith

1. Introduction

Located in mainland Southeast Asia, Cambodia has a total land area of 181, 035 square kilometers with a population of 14 million in 2008. Cambodia has a coastline of 450 kilometers. Cambodia's coastline fronts the Gulf of Thailand, a semi-enclosed sea measuring approximately 400km by 800km, and covering an area of about 320,000 square kilometers. The Gulf is relatively shallow. The mean depth is 45m, and the maximum depth is 80m (See map 1). The relatively small coastal area with lack of access to blue water sea and being sandwiched by Thailand and Vietnam, Cambodia finds it difficult to exert full use of the sea resources. The unresolved maritime boundary with Thailand and Vietnam is a constraint for maritime resources exploitation.

Although Cambodia's sea is relatively peaceful, it can be to a potential shelter for terrorists, illegal smugglers, pirates, and environmental pollution due to the lack of the capacity to effectively oversee and manage its maritime territory. This paper attempts to provide some background on the current development of maritime security policies, challenges, and measures taken to cope with the maritime security issues.

Map 1: Cambodia's Coastal Area



2. Cambodia's national defense policy

Cambodian defense policy is generally described and discussed in the White Papers prepared by the Ministry of National Defense with cooperation with donor community especially from Australia and Germany. In the latest White Paper 2006¹, with the support from Australia and Germany, it emphasizes on key general objectives: provide sustainable peace, development opportunities, and international cooperation. The Paper also provides additional recommendations to strengthen border security, infrastructure development, and promote patriotism.

To realize these objectives, specific policies and measures have been implemented as follows:

- Contribute to external security and guarantee national unity and political stability for economic growth.
- Contribute to peace operation and building around the world. For instance, since April 2006, under the United Nations framework, Cambodia has sent its peacekeeping forces to several zones of conflict in Africa.

¹ Cambodia's Defense White Paper 2006, Defending the Kingdom of Cambodia: Security, Development and International Cooperation.

- Strengthen border protection capability to prevent transnational crime and infiltration of terrorists and to increase contributions to infrastructure and community development along the border.
- Expand the Navy capability reform, especially demobilization, raising the living standards of the defense force, reorganizing units and restructuring training systems.
- Set up force development mechanisms as quickly as possible to ensure the sustainability and quality of the defense force.
- Increase participation in national development, especially in the field of engineering, relief operations, suppressing and eliminating circulation of illegal small arms, environmental protection particularly preventing deforestation, replanting trees, and other humanitarian activities.
- Cooperate with international community and fellow countries in combating terrorism, human trafficking, smuggling, piracy, and natural disaster management.

3. Current development of navy forces

The Royal Cambodian Navy is part of the Royal Cambodian Armed Forces. The navy employs 2,800 people, including its marines. It is under the jurisdiction of the Ministry of National Defense. The navy possesses fifteen patrol craft and a further two patrol craft of the "fast attack" variety. There are also about 170 motorized and manual canoes.

In 2007, Cambodia reported that it was increasing the strength of its navy from 1,000 to 3,000 sailors, apart from creating a force of 2,000. The RCN has five naval squadrons, 10 naval infantry battalions and five other battalions or specialized units. These are organized as two major commands, maritime and riverine, with overall headquarters at *Chruoy Changwar* outside Phnom Penh, the capital city of Cambodia. The maritime command is based at *Ream* (near Sihanouk Province) and the riverine command at *Prek Ta Ten* (near Phnom Penh).

The focus of the Royal Cambodian Navy (RCN) is on guarding against economic threats to the country. The RCN's immediate focus is on developing capacity, training personnel and serving paramilitary. The most current issues are downgrading capabilities and the replacement of warships with coastguard vessels.

The RCN is faced with four immediate tasks: counter-insurgency operations; reorganization and retraining; maintaining serviceability of existing vessels and weapons, together with the readiness of Marine Corps units.

In addition the navy is responsible for the protection of shipping lane and economic activities. Specifically, the navy should therefore be able to: a. project military force at sea, b. conduct surveillance and patrol operations, c. be capable of interdicting and boarding of vessels, d. be capable of search and rescue operations, e. transport and support armed forces and civil government authorities, f. conduct diving operations and ordinance disposal, and g. train and operate with regional armed forces.

4. Maritime security challenges

Maritime security is the key to national security and economic growth. In terms of maritime resources management, Cambodia adopted the Law on Environment and Natural Resources Management in 2003.

In order to have good order at sea, Cambodia needs to overcome several non-traditional challenges caused by state, non-state actors, and Mother Nature particularly climate change.

Cambodia's sea is being threatened by both traditional and non-traditional security such as overlapping maritime boundary, illegal fishing, human and drug trafficking, terrorism, piracy, transnational crimes, environment degradation, and sea level rise.

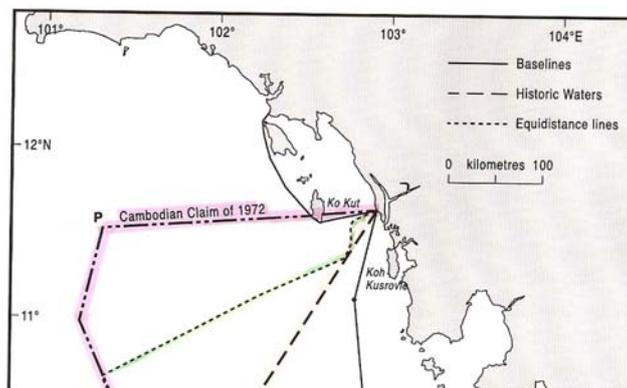
3.1. Traditional security threats

In 1939, French colonial administration Jules Brévié made a decision on maritime borders delineating Cambodia and South Vietnam. Brévié was the governor-general of Indochina which included Cambodia, Laos and the Vietnamese territories. He drew a straight line starting at the land border, into the Gulf of Thailand, indicating that the waters and islands north of the line would be administered by Cambodia, and islands and waters south of it by South Vietnam. Brévié set his line for the purpose of dividing administrative and police duties among the two jurisdictions but never intended his line to be considered as the

maritime border. Therefore the legality of this line remains central to the contemporary maritime issue between Cambodia and Vietnam².

Under the Franco-Siamese treaty of 1907, there was an attempt by the French to create a boundary between Cambodia and Thailand including the maritime boundary. But Cambodia and Thailand have different interpretations of the treaty. This results in difficulties of both countries to exploit and extract marine and mineral resources in the overlapping zone. There are about 30,000 square kilometers of continental shelf overlapping claimed area among Thailand, Cambodia and Vietnam.

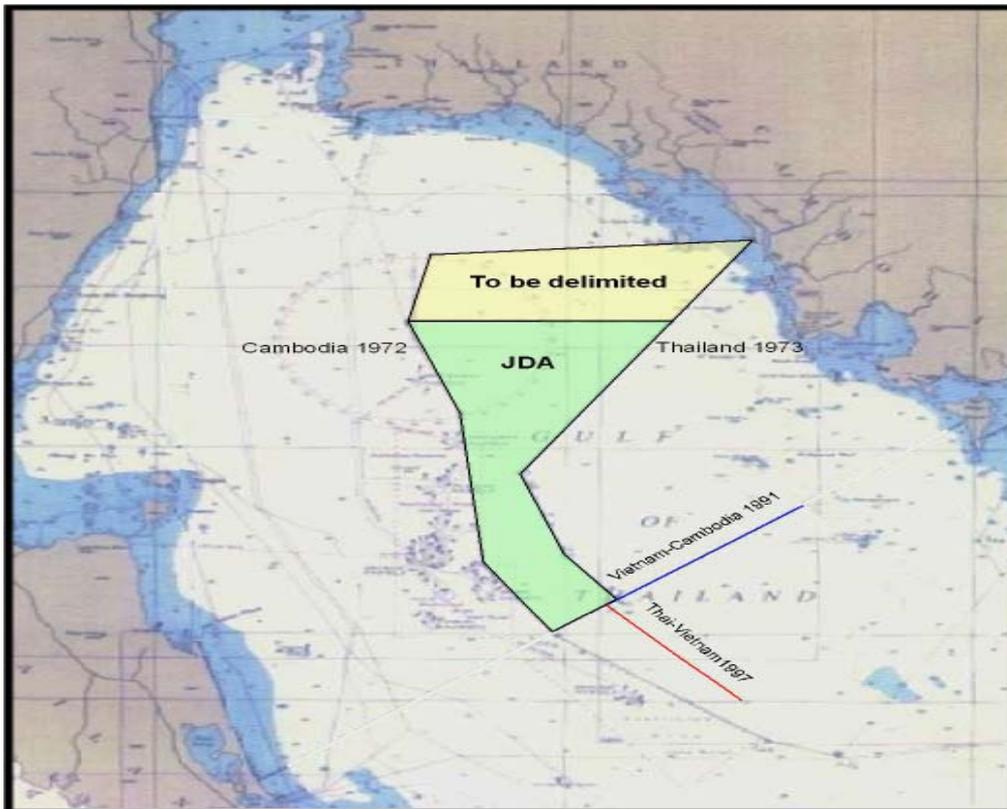
Map 2: Maritime Claims between Cambodia and Thailand



Source: <http://www.navy.mi.th/judge/Files/Thailand%20Cambodia.pdf>

After the studies found that there were oil and gas in the overlapping zone, Cambodia and Thailand came to sign an agreement on a Memorandum of Understanding (MoU) regarding the Area of their Overlapping Maritime claims to the Continental Shelf. Their intention was recorded to divide the overlapping area into two Areas and to attempt, through further negotiations, to define maritime border for the northern Area I, designated as “the Area to be Delimited, to agree upon a treaty for joint development of the hydrocarbon resources located within the southern Areas II, designated as “the Joint Development **Area**” (See Map 2). In 2007, Cambodia launched its priority policy to strengthen its naval force to protect its maritime interest. The MOU was annulled in end of 2009 by the Abhisit Administration when Thailand and Cambodia diplomatic relations did not go well.

Map 4: Joint Development Area between Cambodia and Thailand



Source: <http://www.navy.mi.th/judge/Files/Thailand%20Cambodia.pdf>

3.2. Non-Traditional Security

Cambodia is well-known as a transit point for human trafficking and drug smuggling. In addition, the Cambodia Sea is considered as a potential shelter and transit point for international terrorist groups. According the Jamestown Foundation's tourism monitor volume 2, issue 9, it is reported that:

Cambodia has emerged as the flag of convenience registry of choice, with several cargo vessels believed to have belonged to al-Qaeda in the past registered there. The So San, intercepted by Spanish forces while trying to covertly deliver North Korean missiles to Yemen in 2002, also came from Cambodia. The Cambodian Registrar, run under license by a shadowy private company in Singapore since 1995, was under intense scrutiny following a series of scandals regarding several of its 1,600 ships.

*Under U.S., European and Korean pressure, the Cambodian government withdrew the license in August 2002, giving control to another foreign contractor.*³

Environmental degradation especially the deforestation of the mangrove forests in Koh Kong province, one of the coastal provinces in Cambodia and the overdredging of sea sand along the coastal areas of Cambodia can potentially damage the biodiversity which in turns adversely impact on the local fishermen whose livelihood is based on marine resources. The increasing number of tourists to the coastal areas also exerted some pressure on the local environment.

3.3. Lack of hard and soft infrastructure

The lack of essential equipments such as vessels and rescue boats impedes Cambodian navy and coast guards' ability to provide maritime security for its territorial and international seas. More importantly, Cambodia lacks legal framework, human resource, and coordination among relevant agencies to cope with maritime security threats. The inadequacy and inefficiency of both hard and soft infrastructure prevent Cambodia from effectively carrying out necessary measures to deal with both traditional and non-traditional security issues.

4. Measures

Efforts have been initiated to establish a national mechanism to deal with maritime security by combating terrorism, kidnappers, pirates, human trafficking, transnational crimes, and drug trafficking. This national committee is believed to be the single entity as a one-stop response to maritime security. The Cambodian Prime Minister Hun Sen emphasized that:

It is time for us to create this committee to strengthen maritime security...we need to provide the safety security for oil and gas exploration ships and containers cargo ships. We have been heavily cracking down the crimes regularly on land, we also have to

³ Terrorism Monitor Volume: 2 Issue: 9,
http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=396

*consider criminals matters at sea. The criminals will be able to enter into Cambodia as fishermen and tourists.*⁴

Apart from this national committee, the Cambodia's Ministry of Defense is determined to:

- Strengthen the role and capacity of navy, enhance closer cooperation between involved authorities, provide security maintenance for enhancing the economic potentiality, counter international terrorism, piracies, smuggling of drugs and human, create suitable maritime environment for welcoming warships of fellow countries.
- Partner with other countries to promote an understanding of common maritime challenges and brainstorming ideas collectively to come up with appropriate measures for managing maritime security effectively.
- Safeguard territorial waters and protect resources within Cambodia's Exclusive Economic Zone to ensure Cambodia's maritime assets are utilized entirely for sustainable development.
- Work together with relevant ministries to develop legal procedure/framework and human resources.

Regarding international cooperation framework, Cambodia has been working closely with fellow countries such as Australia, China, Japan, and the United States to get the necessary support for the hard and soft infrastructural upgrading of Cambodian navy forces. For instance, China donated six patrol boats to the Cambodian navy in 2005 and another nine patrol boats in 2007. The objectives of Chinese support are to support Cambodia in countering terrorism, piracy, illegal smuggling, and safeguarding oil installations.

Since 2004, Cambodia has received support from the United States to strengthen Cambodian capacity in international peacekeeping operations, counterterrorism, anti-narcotics measures, border and maritime security, humanitarian assistance, disaster relief operations, and defense sector reform. In December 2009, US and Cambodia signed an agreement called Megaport Initiative focusing on cooperation to deter, detect, and interdict

⁴ http://news.xinhuanet.com/english/2009-05/26/content_11438285.htm, last access on January 10, 2010

illicit smuggling of nuclear and other radioactive material at the Autonomous Port of Sihanoukville. According to the agreement, in addition to providing equipment and related infrastructure, the United States will also train Cambodian officials on the use and maintenance of the equipment. It said that the Megaports Initiative is now operational at 28 ports around the world. Work is underway at additional ports in Asia, Latin America and the Caribbean, Europe, the Middle East, and Africa.

Japan is the leading country in terms of providing Official Development Assistance (ODA) to Cambodia since very early 1990s. Infrastructure development is a priority of such assistance. Japan provided US\$72 million at a concessionary rate to develop Sihanoukville port, the only international deep (deep water?) seaport in Cambodia with multipurpose terminals.

The Australian government, foundations from Germany and Denmark are assisting in training and carrying out research work in the coastal areas in the interest of maritime security.

International Cooperation and Legal Framework

Cambodia actively participates in the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). One of the action plans of the agreement is to set up an information sharing center in Singapore.

Cambodia became a signatory to the International Maritime Organization (IMO) in 1966, eight years after the Convention entered into force. SOLAS is one of the main treaties of the IMO. The main objective of the SOLAS treaty is to specify minimum safety standards for compliance in terms of construction, equipment management and operability of ships. In December 2002, IMO convened a diplomatic conference to introduce the new The International Ship and Port Facility Security Code (ISPS Code)⁵. The Code has become

⁵ The International Ship and Port Facility Security Code (ISPS Code) is a comprehensive [set of measures to enhance the security of ships and port facilities](#), developed in response to the perceived threats to ships and port facilities in the wake of the 9/11 attacks in the United States.

The ISPS Code is implemented through chapter XI-2 Special measures to enhance maritime security in the International Convention for the Safety of Life at Sea ([SOLAS](#)). The Code has two parts, one mandatory and one recommendatory.

mandatory for all ASEAN members and compulsory under the SOLAS agreement since 2004. Although a signatory, Cambodia has great difficulties in complying with the treaty.

In terms of international agreements, Cambodia should accede to the United Nations Conferences on the Law of the Sea (UNCLOS), Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA), Proliferation Security Initiative (PSI), and the Container Security Initiative (CSI).

Conclusion

Cambodia's maritime security has been developed and strengthened in recent years with support from the international community. The creation of the National Committee for Maritime Security is a stepping stone towards capacity building and better management of maritime security. However, several challenges remain ahead such as the lack of financial and human resources, legal framework and coordination among the relevant ministries and agencies, and hard infrastructure such as battleships, combat boats and vessels.

In essence, the Code takes the approach that ensuring the security of ships and port facilities is a risk management activity and that, to determine what security measures are appropriate, an assessment of the risks must be made in each particular case. The purpose of the Code is to provide a standardised, consistent framework for evaluating risk, enabling Governments to offset changes in threat with changes in vulnerability for ships and port facilities through determination of appropriate security levels and corresponding security measures.