



# The Quad in the Western Indian Ocean Region

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This document provides policy recommendations for the Quad in the Western Indian Ocean Region. It discusses two prominent maritime security challenges in the region: Illegal, Unreported, and Unregulated Fishing, and maritime terrorism. It examines how the Quad may aid efforts towards mitigating these.

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# Executive Summary

1. The Western Indian Ocean Region (WIOR) sub-region has emerged as an important strategic space for various actors, most importantly China. The Quad's maritime security mandate involves a policy focus on the Indian Ocean Region (IOR), working towards deepening maritime cooperation in the Indo-Pacific, building a maritime rules-based order, and combating illicit maritime activities in the region.
2. As a group looking to find ground in the IOR, the Quad should invest its capital and resources towards the WIOR and subsume this focus under its maritime security domain. This discussion document examines two prominent challenges in the WIOR: Illegal, Unreported, and Unregulated Fishing (IUU) and maritime terrorism. It provides policy recommendations regarding how the Quad may aid efforts towards mitigating these challenges.
3. The Quad can help aid efforts towards meeting the IUU challenge by strengthening legislative frameworks concerning combatting IUU, bolstering regional maritime surveillance networks, and building institutional connections with IOR organisations. Maritime terrorism, particularly drug smuggling and piracy, can be tackled by focusing on the implementation of key legal instruments and frameworks, and enhancing existing capacities of WIOR countries.

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# I. Introduction

The Quad is a grouping comprising four countries: India, Japan, the United States (US), and Australia. It focuses on a public goods approach in the Indo-Pacific, and attempts to work with regional partners and allies to aid deficits in domains including cybersecurity, infrastructure, and energy.

This discussion document centres around the Quad's policy agenda in the Indian Ocean Region (IOR), especially the Western Indian Ocean Region (WIOR). The Quad's mandate also includes maritime cooperation in the Indo-Pacific.<sup>1</sup> Its joint statements emphasise the need for a maritime rules-based order, and to combat<sup>2</sup> "illicit maritime activities" in the Indo-Pacific. The Quad's policy orientation concerning *maritime security* can be described as follows:

1. Deepen engagement with regional partners to support maritime safety and security and uphold international law
2. Emphasise the importance of adherence to international law, as guided by the United Nations Convention on the Law of the Sea (UNCLOS), and
3. Address challenges to the maritime rules-based order

The Quad's primary measure to meet its maritime security mandate is the Indo-Pacific Maritime Domain Awareness (IPMDA) initiative. Through the IPMDA, the Quad intends to provide "near real-time, integrated, and cost-

effective maritime domain data to maritime agencies” in the Indo-Pacific. The IPMDA’s pilot phase is concentrated towards Southeast Asia and the Pacific, and aims expansion to include partners in the Indian Ocean Region.<sup>3</sup>

In our focus on the WIOR, we study maritime security issues relating to ‘rule of law’ challenges in the Western Indian Ocean Region (WIOR).<sup>4</sup> Rule of Law (RoL) maritime security challenges in the WIOR are numerous.<sup>5</sup> We discuss two prominent ones: Illegal, Unregulated, and Unreported (IUU) Fishing and maritime terrorism, because of their wide prevalence in the region, and the possibility that they could lead to wider political instability in the region if not devoted attention. Another reason is that the Quad already devotes policy attention to these challenges as part of its mandate.

What place does the WIOR assume in the strategic imagination of the Quad and Quad countries’ Indo-Pacific strategies? The United States (US) includes the larger IOR as part of the Indo-Pacific strategic theatre, although the sub-region itself lacks strong policy attention. For instance, key US strategies — US National Security Strategy, National Defense Strategy, and the Indo-Pacific Strategy — do not pay attention to the IOR,<sup>6</sup> and what the US’ interests are in the IOR.<sup>7</sup> Australia’s IOR focus has been limited to the northeast region,<sup>8</sup> although the WIOR is of strategic interest to Australia. India’s WIOR focus has been greater,<sup>9</sup> although it lacks the necessary capacity to meet policy objectives.<sup>10</sup> Japan places considerable importance on the WIOR and hopes to play a more visible role in the future.<sup>11</sup>

Overall, a misalignment of policy priorities exists within the Quad regarding the IOR, especially the WIOR. That inhibits the Quad from embracing a WIOR-focused maritime security policy, notwithstanding the already nascent policy focus on the IOR. Nonetheless, there are two key reasons why the Quad should focus on the WIOR:

First, as Darshana Baruah writes,<sup>12</sup> the US' Indo-Pacific strategy should move to accommodate the WIOR as one of its foci, given its geopolitical importance in the IOR as a transit hub of maritime trade and commerce.<sup>13</sup> The US sees the IOR maritime security space through non-traditional concerns such as piracy and IUU. India and Australia have been embracing a burden-sharing approach to meeting concerns in the IOR. The WIOR space is quickly emerging as a geopolitical hotspot, indicating a possible shift in the balance of power, making China a firmer player in IOR geopolitics. This would lead to Canberra devoting more policy attention to the region.<sup>14</sup>

China, for instance, has placed key importance on the WIOR sub-region within the larger IOR strategic theatre,<sup>15</sup> including building its first overseas military and logistics base in Djibouti. At least 90% of Chinese trade is seaborne, with some People's Liberation Army Navy (PLAN) analysts placing the figure as high as 97%. This includes 70% of China's energy — oil and LNG— imports transiting through the Strait of Malacca. While China has tried to diversify its energy sources — for instance — by increasing energy trade with Russia,<sup>16</sup> its usage of IOR trade routes for energy will still be substantially significant.<sup>17</sup>

China's regional military diplomacy has also ramped up.<sup>18</sup> Chinese commercial ports form a network of commercial infrastructural points, which the PLAN may be able to use for various purposes, including military-grade use like attempting regional blockades.<sup>19</sup> In this context, Kardon and Leutert argue that the PLAN's use of commercial ports for military logistics and intelligence constitutes state power projection by the PRC.<sup>20</sup> It is also likely that other Chinese bases may come up in the WIOR.<sup>21</sup>

China's strategic interest in the WIOR and the possibility of its militarisation should incentivise Quad countries to aid existing maritime security infrastructures in the WIOR. While such aid need not mean deploying military assets, Quad countries can coordinate better to solve challenges in the IOR. These efforts could then be subsumed under the Quad.

Second, while IOR sub-regions reflect strategic and geographic realities, a better understanding of IOR challenges emerges if the region is viewed as a contiguous space. For instance, law-and-order challenges like maritime terrorism may spill over to other sub-regions. Therefore, if the IOR is viewed as an *integrated* space, the WIOR sub-region — its concerns and challenges — should inform how the Quad thinks about the IOR.

## II. Illegal, Unreported, and Unregulated Fishing (IUU)

IUU Fishing is a grave concern in the IOR. The Illegal, Unreported and Unregulated Index 2021<sup>22</sup> lists the Western Indian Ocean (“West Indian Ocean”) as performing most poorly in ocean basins for the coastal state type,<sup>23</sup> assessed according to vulnerability, prevalence, and response.

The World Wildlife Fund estimates that US\$142.8 million of potential income was lost from the South West Indian Ocean (SWIO) annually from 2015-2021, inflicting economic losses to Kenya, Madagascar, Mozambique, South Africa and Tanzania.<sup>24</sup> Around 36% of all fishing effort and nearly half of all tuna fishing in the region was potentially IUU fishing.<sup>25</sup>

How can the Quad aid efforts to deter IUU Fishing? It can strengthen legislative frameworks, the maritime surveillance network, and institutional connections with IOR organisations.

### Recommendations for the Quad

1. Robust legislation forms an important part of meeting any law-and-order challenge. Some WIOR countries like Comoros, Somalia, Djibouti, Mozambique and Tanzania are not party to the IUU Fishing legal



framework (see Appendix 1 for key acts and conventions supporting IUU Fishing deterrence). To implement such legislation, it is pertinent for coastal states to use technologies like Automatic Identification Systems (AIS) and Vessel Monitoring Systems (VMS) that use satellite tracking to transmit vessel locations, which can be used to track fishing activity. This is not standard practice in the region.<sup>26</sup> The Quad could help plug these gaps by studying reasons for lack of implementation, and focus on subsequent capacity-building issues so that this becomes standard practice in the region.

2. The 2019 Stable Seas Maritime Security Index finds that the maritime surveillance and Maritime Domain Awareness (MDA) capacities of WIOR countries are weak.<sup>27</sup> The ability of WIOR countries to achieve a holistic picture of their maritime spaces is insufficient. This has implications for a lack of law enforcement in IUU Fishing cases, since tracking of IUU and information about its extent is limited. A robust MDA capacity to counter IUU Fishing is critical and is bolstered by a comprehensive maritime surveillance network. This is currently lacking in the IOR.<sup>28</sup>
  - a. Interoperability needs to be built between IOR maritime surveillance centres. A strong maritime surveillance network in the IOR bolsters maritime surveillance networks in the WIOR. The efforts of the Information Fusion Centre - the Indian Ocean Region (IFC-IOR) in India are enhanced<sup>29</sup> by Regional Maritime Information Fusion Centres (RMIFCs), the Regional Operations Coordination Centre (RCOC), and national centres in the region.

There is a need for building interoperability between these centres. The IFC-IOR's MoU with RCOG Seychelles is a welcome step;<sup>30</sup> however, similar relationships must be built across the WIOR. Comoros, Djibouti, France, Kenya, Madagascar, Mauritius, and Seychelles all have national centres for maritime surveillance. The Quad can aid efforts towards expansion of this networks by working with the Indian Ocean Commission (IOC), which currently focuses on exactly this.

- b. Quad's cooperation in the space domain and its intent to explore maritime-based applications in this vein<sup>31</sup> open up new avenues for strengthening MDA systems in the IOR. The Quad Space Working Group focuses on utilising space-based technologies for the sustainable use of oceans and marine resources.<sup>32</sup>
3. The Quad recognises<sup>33</sup> the Indian Ocean Rim Association's (IORA) role in the IOR concerning their efforts in the Indo-Pacific maritime space. Synergies exist between the Quad's vision of the Indo-Pacific and the IORA's<sup>34</sup> in the fisheries management domain. Therefore, the Quad could consider bolstering the IORA's efforts in countering IUU Fishing (an area that the IORA considers<sup>35</sup> to be central to its new maritime policy). One area where the Quad and the IORA could work together is aiding efforts towards fisheries management, which is a part of the IORA Core Group on Fisheries Management's<sup>36</sup> agenda. The IORA Fisheries Support Unit's (FSU) focus on knowledge sharing, capacity building, and addressing

issues of the fisheries and aquaculture in the region should help the Quad Maritime Security Working Group<sup>37</sup> find ground in the IOR.

4. The IPMDA's use-case experience in Southeast Asia and the Pacific allows the Quad institutional maritime security expertise in the IOR context. The Southeast Asian experience, for instance, allows focus on the eastern IOR as several Southeast Asian countries are also IOR countries. The Quad could share such findings and research with IOR organisations like the IORA that are focused on the same issues. To begin with, since the Quad nations are IORA participants — Australia and India are members, and Japan and the US are dialogue partners — the Quad could consider expanding cooperation with the IORA for such knowledge sharing and facilitation.

### III. Maritime Terrorism

The WIOR has emerged as a transit hub for drugs and arms trafficking valued at over \$190 million annually.<sup>38</sup> A 2021 report by the Global Initiative Against Transnational Organized Crime documents that drug smuggling in the WIOR (involving especially WIOR island states) forms a “distinct and unique inter-island drug trafficking ecosystem”<sup>39</sup> affecting national economies adversely. A diabolic relationship exists between arms dealers, drug traffickers and insurgent groups. Drug smuggling routes are potential routes to traffic weapons to the insurgent groups.<sup>40</sup> A nexus between drugs and arms smuggling networks leads to a deterioration in governance, and an overall rise in political instability in the region.

Piracy and its negative implications on the global economy are well-documented.<sup>41</sup> International action and mobilisation against piracy<sup>42</sup>, including in areas like the Gulf of Aden and the Somali coast, have brought down piracy activities in the Indian Ocean.<sup>43</sup> However, stakeholders still consider piracy a latent threat.<sup>44</sup> For instance, in the context of the Israel-Hamas war and instability in West Asia, attacks by Houthi groups on ships transiting the Red Sea have had a significant impact on the global economy, leading to the deployment of several militaries in the region.<sup>45</sup>

## I. Recommendations for the Quad

One of the key challenges for WIOR countries in addressing the challenge of arms trafficking, for instance, is the lack of an institutional setup and the involvement of organised crime syndicates with transnational footprint.<sup>46</sup>

Africa Organised Crime Index 2023<sup>47</sup>

Country	Arms Trafficking Score	Law Enforcement Score	Criminality Score	Rank in Africa
Kenya	7.50	4.50	7.2	4
Madagascar	6	4	5.58	20
South Africa	8	4.50	7.18	3
Tanzania	6	3.50	6.20	11
Somalia	9	1.50	6.13	13
Mozambique	6.50	2	6.20	11

1. While IOR countries are members of the Djibouti Code of Conduct (DCOC), its effective implementation requires greater coordination

between the law enforcement agencies of the member countries to tackle piracy and human trafficking (see Appendix 2 for the legal framework guiding rules of law in the WIOR). The Quad should emphasise strengthening law enforcement frameworks, institutions, and capabilities. The maritime law enforcement capacity of IOR — especially African states, many of whom are WIOR states — is limited and needs enhancement of skilled manpower and equipment. As the table below shows, despite the huge coastline of WIOR countries, regional countries of the region lack both trained manpower and equipment in addressing challenges relating to maritime law enforcement.

Maritime Capability of Select WIOR Countries<sup>48</sup>

Country	Naval Personnel	Patrol Vessels
Kenya	6500	7
Madagascar	500	9
Tanzania	550	10
South Africa	6815	31
Somalia	300	11
Mozambique	550	8

- Capacity enhancement works hand-in-hand with enabling a robust MDA network. The Quad's Working Group on Counter Terrorism should subsume anti-piracy operations and capacity-building as its mandate. For

instance, Quad's counter-terrorism tabletop exercises<sup>49</sup> could focus on anti-piracy operations in the WIOR, especially focusing on the spillovers of the Israel-Hamas war in sub-regions like the Gulf of Aden.

3. There is a need for revamping the criminal justice systems of WIOR countries. The present system suffers from several institutional challenges like undue delay in the disposal of cases and the involvement of transnational criminal organizations (see table below).

Judicial System and Detention Score of WIOR Countries<sup>50</sup>

Country	Judicial System and Detention Score
Mauritius	5.50
Kenya	5
Madagascar	2.50
Comoros	2
Mozambique	2
Somalia	2

4. The Quad can partner with WIOR countries to implement the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol) and the United

Nations Convention against Transnational Organized Crime (Organized Crime Convention) to counter the challenge of arms trafficking in the region. WIOR countries are intricately interconnected. Therefore, addressing the menace of drug trafficking needs greater coordination between the countries of the region, where the Quad – and Quad countries – can aid existing efforts.



## IV. Appendix I

Legal framework guiding deterrence of IUU Fishing:

- a) The Agreement on Port State Measures (PSMA) was drafted by the Food and Agriculture Organization (FAO) in 2009 as an international treaty on IUU Fishing. WIOR countries — Kenya, Madagascar, Maldives, Mauritius, Seychelles, Somalia and South Africa — are signatories to the instrument. Apart from PSMA, other international instruments, declarations and schemes on IUU include:
- b) The 1982 UNCLOS: United Nations Convention on the Law of the Sea
- c) The 1993 FAO Compliance Agreement
- d) The 1995 FAO Code of Conduct for Responsible Fisheries
- e) The 1995 UN Fish Stocks Agreement
- f) The 2001 International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)
- g) The 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing
- h) FAO's 2007 Model scheme on port State measures to combat illegal, unreported and unregulated fishing

## V. Appendix II

A number of legal instruments and conventions govern the rule of law in the WIOR, including piracy. These are the following:

- a) Djibouti Code of Conduct (DCOC) - International Maritime Organization  
Djibouti Code of Conduct was framed for Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden. The signatories of DCOC are Djibouti, Ethiopia, Kenya, Madagascar, Maldives, Seychelles, Somalia, the United Republic of Tanzania, Yemen, Comoros, Egypt, Eritrea, Jordan, Mauritius, Mozambique, Oman, Saudi Arabia, South Africa, Sudan and the United Arab Emirates. India, Japan, Norway, the United Kingdom and the US are observers.
- b) The United Nations Convention on the Law of the Sea (UNCLOS) provides the framework for the suppression of piracy under international law, particularly Articles 100 to 107 and 110.
- c) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention): Provides a framework against any unlawful acts which threaten the safety and security of ships and their passengers. 164 countries are signatories of this convention.

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<sup>1</sup> Quad Joint Statements – especially the 2022 Joint Statement – focus on laying out its efforts in maritime security cooperation. “Quad Joint Leaders’ Statement.” The White House, May 24, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/24/quad-joint-leaders-statement>.

<sup>2</sup> “Quad Leaders’ Joint Statement.” The White House, May 20, 2023. <https://www.whitehouse.gov/briefing-room/statements-releases/2023/05/20/quad-leaders-joint-statement/>.

<sup>3</sup> Ibid.

<sup>4</sup> WIOR countries are commonly considered to be Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, South Africa and Tanzania. In this document, when we refer to the “WIOR”, we take into consideration not only countries but sub-regions like the Gulf of Aden and the Somali Coast.

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