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DOCTORAL THESIS

*MARITIME STRAITS IN THE INTERNATIONAL
SECURITY ARCHITECTURE.*

CASE STUDY: THE STRAITS OF MALACCA

ABSTRACT

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ABSTRACT TABLE OF CONTENTS

- *DOCTORAL THESIS TABLE OF CONTENTS*.....pg. 3
- *ABSTRACT OF THE DOCTORAL THESIS*.....pg.5
- *BIBLIOGRAPHY OF THE DOCTORAL THESIS*.....pg.28

DOCTORAL THESIS TABLE OF CONTENTS

<u>I. INTRODUCTION</u>	5
<u>II. THE ROLE OF MARITIME STRAITS IN HISTORY. THE HISTORY OF THE STRAITS OF MALACCA AND OF SOUTHEAST ASIA AND THE TRANSITION TO THE CHALLENGES OF THE CONTEMPORARY AGE</u>	11
<u>II.1 THE DYNAMICS OF MARITIME POWER AND THE ROLE OF MARITIME STRAITS IN HISTORY</u>	11
<u>II.2 MARITIME POWER – CONCEPTUAL APPROACHES AND HISTORICAL EVOLUTION.</u>	23
<u>II.3 THE HISTORY OF THE STRAITS OF MALACCA AND OF SOUTHEAST ASIA AND THE CHALLENGES OF THE CONTEMPORARY AGE.</u>	33
<u>III. MARITIME STRAITS IN THE INTERNATIONAL RELATIONS. INTERNATIONAL LEGAL FRAMEWORK, MARITIME LAW AND THE REGIME OF THE STRAITS OF MALACCA.</u>	48
<u>III.1 LAW OF THE SEA – GENERAL PRINCIPLES.</u>	48
<u>III.2 THE CODIFICATION OF THE LAW OF THE SEA – UNCLOS I, II & III.</u>	51
<u>III.3 THE HISTORY OF THE LAW OF THE SEA</u>	54
<u>III.4 THE LEGAL FRAMEWORK OF THE STRAITS.</u>	57
<u>III.5 THE LEGAL FRAMEWORK OF THE STRAITS OF BOSPORUS AND DARDANELLES</u>	60
<u>III.6 THE REGIMES OF THE SUEZ CANAL AND OF THE PANAMA CANAL</u>	63
<u>III.7 THE REGIME OF THE STRAITS OF MALACCA.</u>	66
<u>III.8 THE LAW OF THE SEA AND THE RIPARIAN STATES CLAIMS IN THE SOUTH CHINA SEA.</u>	69
<u>IV. THE MARITIME STRAITS AND CANALS AND THE SECURITY ARCHITECTURE. SPECIFIC MODELS.</u>	72
<u>IV.1 SECURITY ARCHITECTURE AND THE STRAITS.</u>	72
<u>IV.2 BOSPORUS AND DARDANELLES</u>	75
<u>IV.3 SUEZ CANAL</u>	83
<u>IV.4 PANAMA CANAL</u>	90

<u>V.</u>	<u>THE STRAITS OF MALACCA, SOUTHEAST ASIA AND THE CHALLENGES OF THE CONTEMPORARY AGE. REGIONAL AMBITIONS AND STATE POWER MODELS.....</u>	94
	<u>V.1 SOUTHEAST ASIA, SOUTH CHINA SEA AND THE STRAITS.....</u>	94
	<u>V.2 THE STRAITS OF MALACCA AND THE GREAT POWERS COMPETITION.....</u>	97
	<u>V.3 CHINA.....</u>	101
	<u>V.4 INDIA.....</u>	115
	<u>V.5 AUSTRALIA – THE QUADRILATERAL DIALOGUE OF SECURITY.....</u>	119
	<u>V.6 MALAYSIA, SINGAPORE, INDONESIA.....</u>	122
	<u>V.7 THAILAND.....</u>	128
	<u>V.8 JAPAN.....</u>	129
	<u>V.9 HONG KONG AND TAIWAN.....</u>	131
	<u>V.10 CHINA – RUSSIA. INDIRECT MODELING?.....</u>	135
	<u>V.11 NATO, THE EU AND THE SHIFT OF THE GRAVITATIONAL CENTRE.....</u>	138
	<u>V.12 THE USA AND THE INDO-PACIFIC GAME.....</u>	146
<u>VI.</u>	<u>CONCLUSIONS.....</u>	158
<u>VII.</u>	<u>BIBLIOGRAPHY.....</u>	167

ABSTRACT OF THE DOCTORAL THESIS

The present research aims at analyzing maritime power and the involvement of straits and sea canals in highlighting power relations and security equations, including by linking legal elements to international relations, security equations and the interests of the various actors involved. The paper focuses on the importance of straits in international trade and international economic relations and on how the existence of maritime straits as turning points in international architecture creates security dilemmas born primarily out of the dependence on them. As a structure, the research is divided into four parts, the first dedicated to the historical analysis of maritime power and the concepts and theories we can work with in the field, as well as the history of the Southeast Asia region, the second focusing on the legal framework. at a general as well as specific level, by analyzing the specific regulations for the Malacca Strait and other straits. The third part analyzes the role of straits and maritime canals in security architecture with some examples presented, and the fourth focuses on the current situation of the Malacca Strait and the Southeast Asia region. The main working hypothesis is the demonstration of the high level of importance of the straits in the political and security calculations of the states, their determinism in the definition and evolution of interstate and international relations, as well as the involvement of a maritime strait in determining the power of the state or states, as well as in the political, economic and even cultural relations at regional and global level.

Regarding the specific topic on which the paper focuses, that of the Malacca Strait, the objective of the research is to highlight its importance internationally and regionally, especially in terms of its commercial and strategic importance, as well as in terms of geopolitical relations and state power models.

Historically speaking, through maritime access, a state has been able to expand its influence and power much easier and much further, harnessing its military, economic or even cultural potential. The best examples are European civilizations through the Middle Ages, which, benefiting from a considerable technological and military advance, gained control over other regions by conquering or extending domination primarily over coastal areas, sometimes not needing anything else in order to maximize their power. Spain, Portugal, the Netherlands, France,

and especially the United Kingdom, all have gained control of coastal areas either through existing cities or by establishing new settlements, creating outposts along maritime trade routes or opening new markets.¹

Another role played throughout history by maritime straits and other such landforms linking the sea to the land is that of connection, of providing with the context for strengthening ties, strengthening cohesion and finalizing or forming a political, social and cultural nucleus, as was the case with Ataturk's Turkey around the Bosphorus and Dardanelles straits, the situation of the Suez Canal for Egypt or the Straits of Malacca alike for the three riparian states, Singapore, Indonesia and Malaysia, and also for China.

In terms of conceptual approaches, one of the most important authors with relevance for the study of geopolitics and maritime security architecture is Alfred Thayer Mahan, for whom “world domination is not done by owning territories, but by controlling major trade routes and mastering the main points on their route - islands, canals, straits, supply points”². Mahan notes that in any conflict or race for supremacy at the international level, the party that has always won has been the one in control of the main sea routes. Of course, Mahan does not claim that only by naval power can you win a war or impose yourself, but the increased and articulated presence at sea means protecting your own commercial interests, guaranteeing the key points for commercial supremacy and, above all, stopping the enemy or rival to do the same. Mahan sees in maritime mastery the way in which you can achieve commercial supremacy in the first place, taking into account the fact that the main long-distance trade routes and the largest tonnage are the maritime ones. Mahan also indicates the strategic points on which control of the seas depends, namely the Straits of Gibraltar and Hormuz, the Suez Canal and the port of Aden, for the Atlantic-Persian Gulf route through the Mediterranean, the Panama Canal for the Atlantic-Pacific route and the Strait of Malacca for the Persian Gulf-Ocean Indian-Southeast Asia-Western Pacific.³

There is, however, another author who completed Mahan's theories and came up with a slightly less aggressive dimension and who announces, in a way, the examples of soft power today.

¹ Joshua S. Goldstein, Jon C. Pevehouse, *International Relations – Brief 2006-2007 Edition*, Pearson Longman, New York, 2007, pg.26

² „Teoriile geopolitice clasice”, in Andrei Miroiu, Radu-Sebastian Ungureanu (Coord.), *Manual de Relații Internaționale*, Ed. Polirom, Iași, 2006, pg. 74

³ Andrei Miroiu, „Teoriile geopolitice clasice”, *Op. Cit.*, pg. 74

The British historian Julian Corbett focuses not so much on the brute naval force, but on how it is used and capitalized. For Corbett, a model could be naval coalitions that, although dispersed and numerically inferior at first glance, could intervene quickly by activating component forces at key moments and capturing key points.⁴

The theories of the two authors reveal very well the historical evolution in tandem with maritime domination, especially if they are combined with the theory of the Polish author, George Modelski. According to him, the international system evolved into five major cycles, each marked by the domination of a great power at the international level, namely the Portuguese Cycle, which began with Vasco da Gama's expedition to India, but with even older roots, through Columbus' expeditions, and which lasted until the conquest of Portugal by Spain in 1580; the second, the Dutch Cycle lasts until the Peace of Utrecht in 1713, followed by two British Cycles, the first ended with the American War of Independence, the second with the end of the First World War; finally, the fifth one, the American cycle, still ongoing.⁵ The first cycle comes against the background of great geographical discoveries, respectively through the routes opened by Vasco da Gama and Alvarez Cabral, which offers the Portuguese access to a network of ports unimaginable until then and causing, practically, an explosion of trade. In addition, through the control they come to have over points such as Macau, but especially the Straits of Malacca, the Portuguese are the first to take advantage of the control of a commercial node to give it a strategic color. The second cycle comes at a time when maritime expansion had already become a reality, and the defeat of the Invincible Armada of Philip II blocked Spanish hegemony, allowing the Netherlands a conclusive example of soft power in the European Middle Ages, to become the main power due to the control over the markets of the colonies through the almost exclusively commercial fleet owned. Much more adept at handling money, the Dutch brought, at the same time, a fiscal innovation that we see quickly replicated only by those who would follow them to the supremacy of the seas, setting up the Dutch East India Company and coming to control trade in the Indian Ocean, with the Straits of Malacca as reference point for them.⁶

⁴ Robert D. Kaplan, *Revenirea lumii lui Marco Polo. Război, strategii și interese americane în secolul XXI*, Humanitas, București, 2019, pg. 84

⁵ Andrei Miroiu, „Evoluția sistemului internațional până la 1914”, in Andrei Miroiu, Ra du-Sebastian Ungureanu, *Op. Cit.*, pg. 16

⁶ J.M Roberts, Odd Arne Westad, *Istoria Lumii. Din preistorie până în prezent*, Polirom, Iași, 2018, p. 533

The two British cycles set in with the Peace of Utrecht, which ended the Thirty Years' War and left behind a depleted continental Europe and a United Kingdom that had defeated Philip II's huge fleet of ships and had already proved its worth and superiority at sea. The Peace of Utrecht brings Britain control over the Strait of Gibraltar, which marks the British predominance of the main access point from Europe towards the Americas and even the African continent, Asia and the East Indies. In addition, the case of Great Britain also knows a specific that it inherits from the Kingdom of the Netherlands, but it takes it to another level – the British East India Company, one of the first joint-stock companies to gain a monopoly on trade with Asia, especially China and India, is gaining momentum.

Great Britain was the first world power to understand the concept of security and how it could deliver it to its possessions around the globe, starting with economic development. We are talking about countries located, mostly, in areas of the world more prone to crises than Europe, economically, industrially and politically advanced, and "the expansion of the Empire in the less developed world has had the effect of reducing such risks by imposing, directly or indirectly, a form of European control"⁷, as well as through massive investments and financial deposits, which presented a series of guarantees, including for the rich layer of British society.

With the effects of the industrial revolution and also with the development of liberalism, the British Empire came to promote free trade and capitalism throughout the world, as well as freedom of movement of labor, especially after the abolition of slavery, investing in colonies and establishing *pax britannica* - a general concept of peace established in the international system by a maritime power that could control the seas and, through them, the maritime hubs, world trade and which also perpetuated the rule of law, development and technological advancement.

The fifth cycle of Modelski, the American one, gets installed following the major changes of the 19th century, but also through a decisive political act: the Monroe doctrine, proclaimed in 1823 by the American president James Monroe and which marked no more, no less than the expansion of American influence throughout the Western Hemisphere. Rejecting under the threat of repercussions any form of interventionism by European states in US policy, Monroe turns the Atlantic Ocean into a battlefield for the areas of influence of the United States and European

⁷ Niall Ferguson, *Imperiul. Cum a creat Marea Britanie lumea modernă*, Polirom, Iași, 2018, pg.307

powers, with Britain at the forefront. America was beginning to expand its influence and establish its own trade network in the region and from there - globally.⁸ The Monroe Doctrine complemented perfectly with Alfred Thayer Mahan's vision, forming the basis from which American expansion outside the North American continent began. Under the influence of Mahan's work, "the United States initiated a program to build an even more ambitious military fleet than Germany, and in 1907 the American fleet was surpassed only by the British."⁹

The control of the nodal points identified by Mahan was an obvious priority for the next two centuries, with the Americans replicating and, at the same time, perfecting the peace in the system that the British had by controlling the seas. It was the beginning of *pax americana*.

Beyond these aspects of systemic domination, in a separate micro-cosmos, the Straits of Malacca began to shape the world of Southeast Asia at an early age, while China deepened its superpower strategies since the Middle Ages. With a huge empire built and maintained since early antiquity, China has shown obvious trends of expansion to neighboring regions, sometimes even at considerable distances from the mainland. The main case worth analyzing is that of the expeditions undertaken by Admiral Zhang He during the Ming Dynasty, which led, in the period 1405-1433, no less than seven fleets totaling nearly 300 ships in the Indian Ocean. What is very interesting concerns first of all the targeted points, respectively India, East Africa, the Red Sea, but also Indonesia, so the Straits of Malacca and the Persian Gulf and the Gulf of Oman, separated by the Strait of Hormuz.¹⁰

Almost immediately after Zhang He's expeditions, the maritime history of Europe experienced, with the era of great expeditions and geographical discoveries, an intersection with the Asian environment, equally dynamic, but developed in a microcosm different from what the Europeans were used to. One of the focal points in this environment was since then the Straits of Malacca, a point of connection not only with the riparian states, but especially the gateway to the South China Sea and the Chinese micro-universe and the bridge between the worlds of India and China. All the more so as Zhang He's expeditions had taken place before the arrival of the

⁸ Henry Kissinger, *Diplomația*, Ed. Bic ALL, București, 2007, pg. 30

⁹ Niall Ferguson, *Colosul. Ascensiunea și Decăderea Imperiului American*, Polirom, Iași, 2019, p. 58

¹⁰ Yuval Noah Harari, *Sapiens. Scurtă istorie a omenirii*, Polirom, Iași, 2017, pg. 245

Europeans, the time when the Portuguese, the Dutch and later the British and even the French appeared marked the beginning of a rivalry with the Chinese Empire over the strait.

It is interesting to analyze China's mentality in terms of areas of influence. For China, mainland China has never been enough. Like most imperial powers, the nucleus is protected by a "sinus zone" composed, in this case, of Vietnam, Korea and the island areas in the seas surrounding China, and an "inland Asian zone" with territories populated by other civilizations but which China must reach to control in order to avoid the "outer area".¹¹ This is exactly what we see today, both through the direct actions of China, especially in the South China Sea, the East China Sea or in Hong Kong and Taiwan, and through the way in which the civilizational, ethnic and cultural element has been quantified to the maximum by Beijing especially in recent decades.

Returning, for the moment, to history, China's model is quickly followed by the great European powers, which turn, in turn, the Straits of Malacca into a focal point for its own security architecture.

Today, the Malacca Strait is probably the main commercial and strategic hub in the world. Along with the narrow "sisters" Sunda, Lombok and Makassar, but also the South China Sea, Malacca provides the connection between the Indian Ocean and the Pacific Ocean and the connection between several worlds. More than half of global annual trade passes through here, a third of global maritime traffic in general and, perhaps more importantly, a huge energy transit - "two-thirds of South Korea's energy supplies, almost 60% of energy supplies of Japan and Taiwan and 80% of China's crude oil imports"¹².

The high dependence worldwide today on the Straits of Malacca makes it vulnerable not only to economic and trade exchanges, but also to piracy, a long-standing problem in the region, terrorism and organized crime in ports. The busiest commercial hub in the world today does not benefit from an international cooperation framework, which includes not only the coastal states, but also the regional powers and international actors. At present, coastal states have to rely to a

¹¹ Samuel Huntington, *Ciocnirea civilizațiilor și refacerea ordinii mondiale*, Ed. Litera, București, 2019, p. 306

¹² Robert D. Kaplan, *Marea Chinei de Sud și sfârșitul stabilității în Pacific*, Ed. Litera, București, 2016, pg. 26

large extent on their own resources, with limited assistance from other states in developing the necessary capabilities.¹³

The issue of China's dependence on energy imports through Malacca is nothing new. But increasing this dependence and increasing the volume of energy trade transiting Malacca tends to be problematic, especially in the context in which China does not currently have serious alternatives, and the riparian states, especially the large ones, namely Malaysia and Indonesia, know constant economic growth and development that can put them in a strong position on Malacca and, of course, in relations with China.

In response, China is constantly expanding its influence not only in the South China Sea, but throughout Southeast Asia, through two relevant methods: strategic expansion, through control over strategic points from which it can exert its influence - the so-called "String of Pearls" which China has been trying to accomplish for several years in order to control certain nodes or points that expand their position at regional and global level; and the construction of artificial islands in the South China Sea through which they can expand their territorial waters under control and where they can freely conduct gas and oil exploration and exploitation operations on the continental shelf.

Or, in the context of the Straits of Malacca, a simple look at the map shows us that, with the expansion of territorial water control through the Spratly Islands, China is getting close enough to the actual area of the Straits of Malacca. The most logical question is should the intentions expressed in the Spratly or in the Paracel Archipelagos will be successful, will the next step of China be to try and have a dispute with Singapore, Malaysia or Indonesia on some small islands from the eastern end of the Strait of Malacca, which China can later use to control, in tandem with Singapore, the eastern mouth of the strait and thus return China's dependence on this strait?

Once the historical analysis of the role of the sea and the region of Southeast Asia was completed and before proceeding to the chapters dedicated to the role of maritime straits, the next stage of the paper aimed at analyzing the legal framework.

¹³ Rosihan Arsyad, „Cooperation to Safeguard Shipping through the Malacca Strait”, in Andrew Forbes (Ed.), *Asian Security: Regional Cooperation in the Malacca Strait*, Sea Power Center – Australia, Commonwealth of Australia, Canberra, 2008, pg. 176

The law of the sea is included in the public international law, not always being specifically regulated, while also being codified by each state according to resources and needs. For a state, the aquatic space is composed of inland waters and the territorial sea.¹⁴

If inland waters are subject to the full jurisdiction of the State in whose territory they are located, transboundary or frontier watercourses fall only partially within the jurisdiction of each state, as do the rights and obligations of the state, from civil navigation, and exploitation of resources to trade and even military navigation.¹⁵

The waters of the port are subject to the sovereignty of the riparian state and its internal jurisdiction, including as regards the rules of access, parking and possible activities. It is the right of the riparian state to prohibit the access of foreign ships or to limit their rights.¹⁶

The codification of the Law of the Sea, although gradually approached throughout history (*Lex Rhodia*, the *Basilicas* of the Byzantine Empire, the *Codex Amalfitana*, the *Oleron Code*, Hugo Grotius' *Free Sea*), began as a definitory process with the post-World War II period, under the coordination of the United Nations and through a series of three conferences that we can group in two major stages. The first stage of this process includes the First UN Conference (United Nations Convention on the Law of the Sea, "UNCLOS-I") which took place in Geneva in 1958. Many issues concerning the territorial sea were resolved during this Conference, except on some specificities. Namely: its width could not be established, this aspect being very important, as a result, we can say that this Conference failed from this point of view. In addition to this unresolved issue, there is also the regime of gulfs and straits, the ban on nuclear and thermonuclear experiments at sea, the right of harmless passage of military ships and the regime of inland waters.¹⁷

The Second Conference on the Law of the Sea (UNCLOS II, United Nations Convention on the Law of the Sea II, 1960, Geneva), was not very successful either, nor did it succeed to establish the boundaries of the territorial sea.

¹⁴ Teritoriul în Dreptul Internațional, DreptMD - <https://dreptmd.wordpress.com/cursuri-universitare/drept-international-public/teritoriul-in-dreptul-international/>

¹⁵ Com. Constantin Manea, Com. Dr. Marian Moșneagu, *Dreptul Mării în timp de Pace*, Ed. Mica Valahie, București, 2011, p. 57-58

¹⁶ *Ibidem*, p. 414

¹⁷ *Ibidem*, p. 67

Although equally regulated at the national level, the definitive rules marking territorial rights over waters are based primarily on the provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, better known as the Montego Bay Convention on the Law of the Sea, which is based on several international conferences organized in the twentieth century, especially those in Geneva in 1958 and 1960.

The Convention, to which the majority of the states of the world have acceded, establishes, as general rules for the rights over territorial waters: “Art.2 par. (1). The sovereignty of the riparian state extends beyond its territory and its inland waters, and in the case of an archipelago state, beyond its archipelagic waters, over an area of the adjacent sea designated as a territorial sea. [...] Art. 3. Any the state has the right to set the width of its territorial sea; this width shall not exceed 12 nautical miles, measured from the baselines established in accordance with this Convention.”¹⁸

Under the provisions of the same Convention, a riparian state is entitled to territorial waters adjacent to the shore not exceeding 12 nautical miles measured from the baselines. Within territorial waters, or the territorial sea, the riparian state exercises its full sovereignty, including over marine and subsoil resources. At the same time, the Convention ensures that the state holds the right to a Contiguous Zone, not exceeding 24 nautical miles from the shorelines, an area that serves the purpose of exercising control rights by the riparian state to prevent and punish violations of customs, sanitary and tax laws or of immigration or control of traffic with historical and archaeological objects. In addition, a riparian state has the right to an exclusive economic zone that cannot exceed 200 nautical miles from the shorelines, an area in which the riparian state has sovereign rights to explore and exploit natural resources, both in terms of wildlife above the seabed, as well as of subsoil resources, but also on the use of the area for the production of energy using water, sea currents or wind energy.¹⁹

The general legal regime for straits was also established by the Montego Bay Convention of 1982, in particular for straits of major importance for world navigation and trade, with special

¹⁸ Convenția Națiunilor Unite din 10 decembrie 1982 asupra dreptului mării - <http://legislatie.just.ro/Public/DetaliiDocumentAfis/26155>

¹⁹ United Nations Convention on the Law of the Sea at 30, Organizația Națiunilor Unite, 2012, pg. 3 - https://www.un.org/depts/los/convention_agreements/pamphlet_unclos_at_30.pdf

regulations for those of regional interest, as well as in the case of certain straits that have a special regime, such as the straits of Gibraltar, Magellan, the Bosphorus and the Dardanelles.

Straits connecting a part of the high seas or an exclusive economic zone with another part of the high seas or an exclusive economic zone shall recognize the right of foreign vessels and aircraft to transit. Through the straits that connect the territorial sea of a state a part of the open sea or of the exclusive economic zone of a state, foreign ships have a harmless right of passage under conditions similar to the right of passage through the territorial sea.²⁰

However, the request for a continuous and rapid transit shall not precede the passage through the strait for the purpose of entering, leaving or returning from a state bordering the strait, in which case it shall be subject to the conditions of entry into that State.²¹

During the exercise of the right of transit, ships or aircrafts shall cross the strait without delay, shall refrain from threats or use of force directed against the sovereignty, territorial integrity or political independence of riparian States or in any other way that violates the principles international law, as well as refrain from any activities other than those incidental to the normal mode of continuous and expeditious transit, except in cases of force majeure or catastrophe.²² Obviously, the subject is deepened in the paper, where we have more details necessary to fully understand the maritime straits regime.

In addition to the provisions of the Montego Bay Convention, certain maritime straits are subject to the rules of separate conventions, such as the Bosphorus and Dardanelles straits, which are governed by the Montreux Convention.

If maritime straits fall under international jurisdiction, in particular the Montego Bay Convention or other international conventions such as the Bosphorus and Dardanelles straits, artificially constructed sea canals require separate regulations, in particular for the purpose of ensuring the right of free passage, as is the case with the Suez Canal and the Panama Canal.

²⁰ Nicolae Dudu, Eugen Olteanu, *Drept Maritim și legislație navală*, Note decurs, Ed. Nautica, 2003, p.1 14

²¹ Convenția Națiunilor Unite privind Dreptul Mării (United Nations Convention on the Law of the Sea), 1982, Part. III, Art. 38 (2), p. 37 - https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

²² *Ibidem*, Part. III, Art. 39 (1), p. 37 -

https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

As for the Straits of Malacca, at the time of the Montego Bay Convention, the legal situation of it was already being debated between the coastal states and the maritime powers. The main issues discussed were the independence of the three riparian states, Indonesia, Malaysia and Singapore, the extension of the territorial waters and the potential inclusion of several strategic bottlenecks in the maritime territorial regime while maintaining freedom of transit through them, especially for warships, and ensuring and safeguarding the sovereignty of the three riparian states over the strait.²³ The 1982 Convention contains provisions applicable to the States concerned, in Part III concerning the regime of straits used for international navigation, namely the provision of the 12 nautical miles of territorial water and 200 nautical miles of exclusive economic zone, the right of free passage for ships and aircrafts through the straits, the recognition of the status of archipelagic waters, as well as the maintenance of a balance between the interests of riparian states to maintain jurisdiction and sovereignty over the straits and the right of other states to benefit from the right of transit.²⁴

At the same time, in order to ensure the safety, security and smooth flow of traffic through the straits, there is a set of rules for navigators that have been designated by the International Maritime Organization in cooperation with the riparian states of the Straits of Malacca, regardless of the type of ship.

After going through and understanding the legal regime that governs the seas and, specifically, the straits and canals, the paper went on to analyze the role played by them in regional and international power equations and security architecture, specifically analyzing the Bosphorus and Dardanelles straits and the Suez and Panama canals.

In many ways, straits and maritime canals are sources and even atypical forms of security dilemmas. In the original sense of the term, coined by John Herz, the "security dilemma" describes the condition in which states, unsure of their mutual intentions, arm themselves for the sake of security and, in so doing, establish an active vicious circle. Arming for the sake of security, states

²³ Zhen Sun, *Regulation of Shipping in the Straits of Malacca and Singapore*, Centre for International Law – National University of Singapore, 2017, p. 5 - <https://cil.nus.edu.sg/wp-content/uploads/2017/10/SOMS-Sun-Zhen.pdf>

²⁴ *Ibidem*, p. 12

feel less secure, buy more weapons, because the means that serve anyone for security is a threat to another who, in turn, reacts by arming himself.²⁵

A strait is a source of security dilemmas for all states that depend on them so much that they feel compelled to invest in strategy and military in order to send a threat signal to rivals or states in control of the straits. China, for instance, is investing heavily in the navy in operations in the South China Sea to reduce its dependence on Malacca as much as possible, and the US has invested exorbitantly in military bases in Panama, although there is no real and directly involved competitor and to whom the US would not be able to respond quickly.

Analyzing several specific cases, Turkey is the perfect example of a relevant and strong state due to its position and the way in which its position influences the security architecture at regional level or the security, economic and military calculations of other states related to it. How does it do that? Through access to and exclusive ownership of two maritime straits that regulate the only possibility of communication between the Black Sea and the Mediterranean Sea. All Black Sea riparian states depend on transit supplies through the two straits and all states with commercial, security or other interests in the Black Sea depend on how Turkey complies primarily with the treaties into force and secondly on Turkey's position regarding the flag state of ships wishing to pass through the Bosphorus and the Dardanelles.

The most delicate situation for the region is given by the possibility of an agreement between Russia and Turkey regarding the transit of military ships through the Bosphorus and the Dardanelles, which would guarantee Russian control over the Black Sea, as well as access to the Mediterranean Sea.²⁶ That is why NATO needs to continuously involve Turkey at a high level in its strategic and military equations, so that the Istanbul administration understands the important role it plays in the Black Sea region. Regarding the transit of military vessels through the Bosphorus and the Dardanelles, it is important to emphasize that, under the provisions of the Montreux Convention, as subsequently amended, Turkey must allow the transit of NATO vessels through

²⁵ Kenneth Waltz, *Teoria Relațiilor Internaționale*, Polirom, Iași, 2006, p. 252, APUD John H. Herz, "Idealist internationalism and the security dilemma", *World Politics*, vol.2, January 1950

²⁶ Ariel Cohen, Conway Irwin, „U.S. Strategy in the Black Sea Region” in *Backgrounder #1990 on [Russia](#) and [Russia and Eurasia](#)*, 2006 - <http://www.heritage.org/research/reports/2006/12/us-strategy-in-the-black-sea-region>

straits and prevent that of Russian military vessels, especially in a context of war against the North Atlantic Alliance.²⁷

Another example analyzed in this research, the Suez Canal is one of the most relevant artificial constructions that have completely changed the face of trade and maritime transit worldwide. An emanation of French and English colonialism, but with reverberations ever since antiquity, the Suez Canal entered a very special era starting with 1956 and the so-called "crisis of the Suez Canal", determined by the decision of Egyptian President Gamal Abdel Nasser of to forcibly take control of the canal from under Franco-British control, the canal being reopened in 1957, under the control of Egypt.²⁸

Nasser at that time made Egypt a leading regional actor and one of the founders of the "non-alignment movement", which laid the foundations of the so-called "third world", marking the neutrality in the conflict between the Western and Soviet blocs. On the other hand, access to oil resources, which has exploded almost simultaneously in North Africa and the Middle East, has completed a geopolitical picture that made this region a crucial one for the world's energy security. Not only European but also Asian powers have come to depend on the resources of the Middle East and North Africa and their transport through the Suez Canal, the best example being China.

But how oil reaches Asian markets depends not only on Suez, but on a whole succession of canals and straits that have created a fast and cheap transit compared to medieval routes. The Suez Canal connects the Mediterranean Sea and the Red Sea. The Strait of Hormuz and the Gulf of Aden follow, and finally, to reach Southeast Asia, the Straits of Malacca.

After long periods in which the Canal could not be used in the context of the crises in the Middle East and North Africa, it gradually became more and more transited and increasingly important for international maritime transport, especially hydrocarbons, and implicitly for strategic calculations related to regional and international energy security and the security architecture in general. This was due to and equally determined the extensions that targeted the width, depth and construction of detours to streamline traffic through the canal.

²⁷ *Convenția de la Montreux*, 1936- <http://www.globalsecurity.org/military/world/naval-arms-control-1936.htm>

²⁸ Tony Judt, *Postwar: A History of Europe Since 1945*, The Penguin Press, New York, 2005, p. 294-297

The second relevant channel for international trade and shipping that is analyzed is the Panama Canal, built between 1881 and 1914 in the homonymous isthmus from Central America. The canal connects the Atlantic Ocean to the Pacific Ocean and has largely solved the problem of the length of transport from the West coast to the East coast of the entire American supercontinent. The canal was under US rule, including through a significant military presence, until 1999, when it was returned to Panama, with the obligation to never close the canal for international traffic.²⁹

The Panama Canal has a special significance in terms of the overall US strategy at the time. At the beginning of the twentieth century, the United States was under the ideological influence of the Monroe Doctrine, the Roosevelt Corollary, and the ideology of Alfred Thayer Mahan. All three converge on the goal of a much better regionally articulated America, incisive and assertive in the export of its power, and much more ambitious in a direction that many ambassadors have seen as an expression of American imperialism. The beginning of the twentieth century sees the installation of an imperial America, determined to control, directly or indirectly, its strategic surroundings and which observes how Europe begins to kill itself on the same day that the Panama Canal opens at Washington's initiative.³⁰

Through Panama, the United States not only completely sealed its domination in Central and North America, but opened its doors wide to any form of intervention in South America. In addition, by having control over the Canal and having strong military bases installed in the area, the United States made sure that everyone else understood the status of power and that all commercial traffic through Panama became dependent on Washington. Last but not least, through the Panama Canal, the USA sent a definitive message to all the other international powers that could have tried, through South America, to impose their interests in the area. And the message has been firm and strong and maintained until today - no one can interfere in the internal affairs of the hemisphere of the American continents.

²⁹ Silviu Neguț, *Introducere în Geopolitică*, Ed. Meteor Press, București, 2009, p. 144

³⁰ Silviu Neguț, *Op. Cit.*, p. 115, APUD Aymeric Chauprade, Francois Thual, *Dicționar de Geopolitică*, Ed. Corint, București, 2003, p. 500

None of these cases, however, touch on the breadth of security games and the appalling dependence of all world trade on the Straits of Malacca, dealt with in the fourth and final main chapter of the paper. Of all the straits, Malacca is probably the most problematic chokepoint on the globe. It is not only a point of suffocation of international traffic and trade but also an intersection of an amalgam of vulnerabilities and risks, transposed both individually, at the level of ambitions or determinants of a given state, and also at multilateral and international levels.

China depends so much on Malacca that Beijing is constantly playing an ambitious and even aggressive game of chess to which there cannot be no answer, both from the US and other regional powers.

The existence of the three riparian states, Singapore, Malaysia, and Indonesia, depends completely on Malacca, and the power games around the straits force the three to engage in military investment and continuous negotiations with foreign powers, especially under the threat of China's assertiveness.

International trade depends so much on the Straits of Malacca that if we witness a blockade similar to that of Suez in early 2021 we can expect a catastrophic economic crisis. Likewise - should we refer to energy security, to China's huge dependence on Malacca in order to ensure its oil and gas needs.

And Malacca has some major structural problems that make it even more vulnerable. It is very narrow and has parts where the narrowness is doubled by way too shallow waters, which literally cause huge tails of vessels at every moment. Piracy, although lower compared to the previous century, is still a harassment that can further destabilize traffic at any time.

And as if that weren't enough, Malacca is unique. There is simply no sustainable alternative today to this narrow and delicate crossing point, other than one that would raise transportation costs so much that it would create more and more crises.

Every year, more than 100,000 ships pass through here, capitalizing about 40% of world trade. At the same time, a quarter of the world's oil tonnage passes through Malacca, about 16 million barrels of oil per day in 2016 alone, for example, making it the second largest energy

passage in the world and the number one hotspot for China, for which 80% of oil imports depend on the Straits Malacca.³¹

At the military level, a new dynamic is evident through the massive expenditures made by China, which has surpassed the United States in the number of new submarines and which is about to surpass the USA in the number of warships in the Western Pacific, but also through the presence of the USA and even the military ambitions of the riparian states.³² Singapore, Malaysia and Indonesia stand out with the purchase of submarines and endowment expenses. Any level of temperature rise in the region will force new investments and new acquisitions for all states involved, major regional or global powers, but also smaller states but with soft power relevance, as are all three that share the Straits of Malacca.

Although in the paper there is a much broader analysis of the all actors involved, we will limit ourselves here to briefly discussing on the most important ones.

Returning to China, its ambitions for the South China Sea archipelagos, remote clashes with the US Navy, and the evolution of India-China rhetoric both on the border and at sea, depict a landscape that leads to a strong militarization of the South China Sea and an even greater agglomeration of the main chokepoint on which all the states of Southeast Asia depend, the Straits of Malacca. Beyond the military importance of the straits alone, with frequent warships between the Chinese, Americans and Indians, Malacca riparian states have an advantage that China will never be able to neutralize or replace with the hundreds of militarized islands from the Paracel or Spratly archipelagos. The huge dependence on Malacca for resources, especially hydrocarbons, keeps alive the "Malacca dilemma" and keeps up in the security equations all states in the region and not only that have access, in one form or another, to the strait.

Culturally, China has begun to capitalize on its network of ethnic communities abroad by reviving the ideology of the core state, Han China, to which all other communities, smaller Chinas, or Chinese cities, should draw. The cultural objective runs parallel to the geopolitical one, which aims at hegemony in East Asia, Southeast Asia and, as recent history has shown, the attack on the

³¹ Nik Martin, *Suez Canal blockage: 4 of the biggest trade chokepoints*, Deutsche Welle, March 27th, 2021 - <https://www.dw.com/en/suez-canal-blockage-4-of-the-biggest-trade-chokepoints/a-57020755>

³² Robert D. Kaplan, *Butoiul cu pulbere al Asiei. Marea Chinei de Sud și sfârșitul stabilității în Pacific*, Litera, București, 2016, p. 57

status of world superpower. To get there, China uses the diaspora in the states in the region to establish bridges that link it to them, whether we are talking about regions that are being targeted for a future annexation, such as Hong Kong or Taiwan, or states which have already become relevant regional powers, as is the case of Singapore.³³

However, Chinese soft power does not stop at cultural or economic diplomacy or the creation of cities or neighborhoods in other states to help both dimensions. Overall, Chinese painful dependence on Malacca, the troubling Southeast Asian security architecture, and the offensive efforts in the South China Sea, have all been forcing China for years to seek alternative routes. And if the eventual route through the Kra Isthmus in Thailand is still a rather fanciful idea in which China is willing to invest, a revitalization and even renewal of the old trade routes by land is not at all impossible when you have the money and prospects of China, so all the more so as all the important actors at global level seem to agree on the idea.

Over the past decade, discussions about the new Silk Road, or even the New Silk Roads, have been on everyone's lips, from Beijing to Washington. And for China, that would mean a return to force in Central Asia and later in Europe. And Xi Jinping's declarations of friendship and tours in Central Asia show that the goal is not only top-notch, but also that Beijing begins to invest more and more in this direction.³⁴

The success of this kind of policy, such as also is the *One Belt One Road* policy, shows not only that China would gain enormously in terms of strategy, geopolitics, economics and in terms of security relations, but also that many states, especially in the region, would quickly and completely agree to China's plans. In fact, China's movements in recent years, so far in relative proximity, show that Beijing is doing well in this direction.

Another player as important in the region as China is India, which is located at the western exit of the strait. Through effective control along the sea routes linking the Straits of Hormuz and Malacca, India is not only a guardian of world trade security and a factor in the fight against piracy and terrorism, but also a decisive balancing factor in China's expansion and the West's relations with it, acting as an element of damming as long as India remains in close relations with the United States and Europe. Due to its position on Hormuz and Malacca, India has a geostrategic coloration

³³ Samuel Huntington, *Ciocnirea civilizațiilor și refacerea ordinii mondiale*, Ed. Litera, București, 2019, p. 307

³⁴ Peter Frakopan, *Drumurile Mățăsi: o nouă istorie a lumii*, Ed. Trei, București, 2019, p.553

that for China could mean blocking the Straits of Malacca, China's main source of oil supply and one of the trade routes linking the entire planet.

However, India also faces the same type of dilemma when it comes to access to resources and the points that ensure their transit. Fossil fuel dependence estimates of the two Asian powers fluctuate from year to year, but most forecasts have been talking for years about a 60% increase in China's energy demand between 2010 and 2030, and that of India with more than 50%. Although still emerging powers, the two therefore also dispute their dependence on fuel supply, which also entails competition from fuel suppliers.³⁵

A constant presence in Europe's internal affairs, especially in terms of economic and trade relations, China remains a central point of interest for both the European Union and the main European powers taken separately. On the other hand, although for a long time focused more on the near neighborhood, the European Union is increasingly looking to find itself in security games in all major areas of the globe.

The EU Maritime Security Strategy was also adopted in this direction in June 2014, a document aimed at recognizing and listing security interests and threats and a set of objectives and actions to ensure freedom of navigation, economic and strategic interests and the conservation of biodiversity and to counter direct threats such as conventional military challenges, piracy or terrorism.³⁶ Although without direct reference to the vision of Malacca, this first document in the field nevertheless speaks of the objective of in-depth cooperation with ASEAN states and is complemented by the European Commission's Critical Maritime Routes (CMR) program aimed at improving security along the strategic maritime points stretching from West Africa to the Straits of Malacca.³⁷

The next step was taken in April 2021, when the European Union, following in the footsteps of the United States, adopted its own strategy for the Indo-Pacific region. Assuming that this region

³⁵ Cristina Ivan, "Black Sea – from dark to green energy?", IN George Cristian Maior, Sergei Konoplyov (Ed.), *Black Sea Security Program – 15 years of commitment, cooperation and way forward*, Ed. ANIMV, București, 2014, pg. 24

³⁶ *The EU Maritime Security Strategy. Promoting or Absorbing European Defence Cooperation*, Clingendael Netherlands Institute of International Relations, April 2015 - <https://www.clingendael.org/sites/default/files/pdfs/Policy%20brief%20EU%20Maritime%20Security%20Strategy.pdf>,

³⁷ *Ibidem*

is the center of gravity of the world economically and strategically, the Council of the European Union, through the meeting of foreign ministers of the 27 Member States on April 19th, adopted a set of conclusions on the line that the EU should pursue, in tandem with the UN's sustainable development goals, but also in view of the intense geopolitical competition that the Council is emphasizing in the Indo-Pacific.³⁸

As for the attitude of the main Western powers towards the region, they are linked both to France, Germany, and Great Britain, and especially to the presence of the United States and its relations with traditional allies in the region, such as Japan, Taiwan, or South Korea, as well as with those with whom relations have been developing rather lately, such as Vietnam. However, the attitude towards the region is also dictated by the nature of relations with China and the way in which China and the United States perceive each other as rivals or even adversaries.

It is the dynamics of American decision-makers that can help us understand what is happening in the relationship with China. Even if former US President Donald Trump changed the changes of his predecessor in the pivot towards Asia and gave it a different coloration, more aggressive in position and less favorable to sectoral cooperation or through third parties, American political thinking, which falls within the same general logical lines, would prefer China as a global constructive partner. And the return of the Democrats to US leadership, through the Biden administration, could mean a return to a rhetoric appropriate to such logic. This would also require the US to recognize China's regional and global level, but at the same time maintain its strong positions in the Southeast Asian region, forcing China to recognize, in turn, the United States as a leading actor standing up in that area, too.³⁹

Although still at the beginning of his term, president Joe Biden shows no signs of wanting too obvious a strain on relations with China, nor that he would take steps back from sanctioning China when the situation calls for it. In March 2021, two Chinese government officials were sanctioned by the United States, as well as by the European Union, the United Kingdom and Canada, for human rights abuses and violations against the ethnic Uighur minority in Xinjiang.⁴⁰

³⁸ *EU Strategy for Cooperation in the Indo-Pacific*, European Union External Action Service, April 19th 2021 - https://eeas.europa.eu/headquarters/headquarters-homepage_en/96741/EU%20Strategy%20for%20Cooperation%20in%20the%20Indo-Pacific

³⁹ Zbigniew Brzezinski, *Op. Cit.*, p.174

⁴⁰ U.S. Department of the Treasury, *Treasury Sanctions Chinese Government Officials in Connection with Serious Human Rights Abuse in Xinjiang*, March 22nd, 2021 - <https://home.treasury.gov/news/press->

Just a few days earlier, US Secretary of State Antony Blinken announced the US sanctioning of 24 Chinese and Hong Kong officials, accusing them of limiting and violating Hong Kong's autonomy, a decision that helped reiterating the US support to the respect of rights and freedoms of Hong Kong citizens, along with the promise to respond whenever China will not comply with its obligations in regard to Hong Kong.⁴¹

Moreover, May 2021 came up with new developments that show rather the entry into a logic of intense competition between China and the USA. President Biden recently ordered the US service community to step up its efforts to determine whether the COVID19 virus comes from a laboratory in China. These suspicions only add to existing disputes over China's policy in the South China Sea, those related to China's human rights violations in Xinjiang, those concerning Taiwan and Hong Kong, or discussions on 5G technology. All of this has led, as said Kurt Campbell, the coordinator for the Indo-Pacific of the US National Security Council, to the end of the US-China engagement period and the beginning of a period dominated by competition.⁴²

Caught in the eye of the geopolitical hurricane of Southeast Asia, the three riparian states of the Straits of Malacca, Indonesia, Malaysia and Singapore, are the best examples of soft power and smart power that the region offers. Perhaps except for Indonesia's expansionist tendencies and its mutual dilemmas with Australia, the states of Malacca are caught in a game in which the main goal is to keep their statehood and autonomy intact and especially not fall into the zone of Chinese domination.

Malaysia and Singapore come after a period of construction of the iconic political figures Mahathir bin Mohammed and Lee Kuan Yew, who have left or are about to leave the stage and who leave behind a legacy of building the two states and transforming them into smart powers and economic tigers. For both states, the hardest dilemma has always been how to keep the Chinese element at bay, including in terms of demographic weight. If in Malaysia, Islamization has caused an exodus of ethnic Chinese, but economic relations with China are getting better, Singapore is a

[releases/jy0070#:~:text=WASHINGTON%20E2%80%93%20Today%2C%20the%20U.S.%20Department.Uyghur%20Autonomous%20Region%20\(XUAR\)](https://www.state.gov/hong-kong-autonomy-act-update/)

⁴¹ Antony J. Blinken, *Hong Kong Autonomy Act Update*, U.S. Department of State, March 17th, 2021 - <https://www.state.gov/hong-kong-autonomy-act-update/>

⁴² Peter Martin, *Biden's Asia czar says era of engagement with Xi's China is over*, The Japan Times, May 27th, 2021 - <https://www.japantimes.co.jp/news/2021/05/27/asia-pacific/politics-diplomacy-asia-pacific/biden-china-czar-engagement/>

favorite target for Beijing, being demographically dominated by ethnic Chinese and being a fear in itself for China because of its relationship with the West and especially with the United States and because of its position in the narrowest part of the Straits of Malacca.⁴³

Beyond the decisive role for international trade, through its position in the narrowest area of the Straits of Malacca, Singapore is a soft power *per excellence* that knows how to invest a lot in the military, too. Not only the Security Quadrilateral with the USA, India and Australia and not only the cooperation with Australia in military training are worth mentioning here. Singapore is among the countries with the largest investments in security and defense as a percentage of GDP. The fear of being left alone and the need to remain involved in bilateral or multilateral initiatives or military exercises have always pushed the small but fierce Asian tiger to military investments to help it keep up.⁴⁴

In the Straits of Malacca, geography sets the tone, as does, as a whole, the whole range of straits and canals that connect, at least in terms of energy, Southeast Asia, Africa, the Middle East and Europe. In East and Southeast Asia, out of the fourteen states in the region, twelve are dependent on the oil from the Middle East. And the Straits of Malacca marks the end of the line of understanding that the Indian Ocean is semi-closed, not open as in the Pacific and Atlantic, because the dependence on straits is so great that the Indian Ocean is blocked at both ends by funnels easily blocked and impossible to avoid.⁴⁵

China's strategy, that of the United States, as well as that of India or other regional powers, are so much oriented on the scale of the security dilemma that they almost lead, on paper, to mutual annihilation. At the same time, they also lead to a complementarity of interests that until now has been understood both as a source of bridges for cooperation and as a source of rivalry, potential conflict and annihilation of the other's strengths.

The Malacca Strait is the perfect example of a chessboard precisely because here China is increasingly forcing its advance close to the eastern border of the strait through its stiflingly assertive policy in the South China Sea. Equally, the United States is increasingly moving to the

⁴³ Robert D. Kaplan, *Răzbumarea Geografiei. Ce ne spune harta despre conflictele viitoare și lupta împotriva destinului*, Litera, București, 2014, p. 283

⁴⁴ Philip Orchard, *Singapore Wants Nothing to Do With a New Cold War*, Geopolitical Futures, August 7th, 2020 - <https://geopoliticalfutures.com/singapore-wants-nothing-to-do-with-a-new-cold-war/>, accesat la data de 24.08.2020

⁴⁵ *Ibidem*, p. 262

eastern border of the strait with its in-depth cooperation and presence in Vietnam. The interior of the strait captures the three small states, Singapore, Malaysia and Indonesia, with the first two especially remarkable for the capacity to understand how to keep the United States close without becoming somewhat vassal to them and I obviously do not speak of the proper meaning of the word. And at the other end, India has settled so well in the Nicobar and Andaman archipelagos that it can force a blockade at any time that it can do not only on its own, but also with the United States and even multilaterally, if the Security Quadrilateral with Australia, The USA and Japan will activate or enter an ascending slope of the articulation of clear positions of unity and of precisely evolved evolutionary scenarios.

In addition, developments in recent years have brought two of Europe's former colonial powers with a history in Southeast Asia, the Netherlands and France, in the same equation as today's number one European power, Germany. The three are leading a hitherto unprecedented direction in the European context - that of a maritime policy, a common articulated position for Europe in another region of the globe, the Indo-Pacific, in a context in which the European Union acknowledges that it wants more from this point of view and raises the stakes with a Maritime Security Strategy that is gaining momentum. And, as we can see, Britain makes no exception. Although it is still early, we could discuss of a resumption of global maritime ambitions for European powers, this time combined. Certainly, the history of British, French or Dutch colonialism has retained a certain level of ambition in the European collective consciousness, as much as the same history creates from the start cultural, economic, political and even military advantages that the combined European powers will surely be able to exploit.

Slowly but surely, the chess pieces are moving more and more clearly towards the Indo-Pacific and Southeast Asia, suffocating an already overwhelmed chessboard. And where to feel the strongest of all these movements if not in the area of the Straits of Malacca, the undisputed heart of regional trade and one of the points that create every day, worldwide, emotions matched only by the extremely high level of importance of Malacca for the trade, economy and energy of the whole world.

The United States, China, the four European powers mentioned above, the Security Quadrilateral, India, the three riparian powers, Vietnam and several other countries with regional influence such as Thailand, the Philippines, or the two eternal Chinese problems - Hong Kong and Taiwan - All of these actors gather around the table they have already set up in the narrow and overcrowded strait that connects the Indian Ocean to the South China Sea and the Pacific Ocean. And the pieces seem to be just beginning to move.

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