



Collection of Talking Points

RIPS Webinar

Realization of FOIP and Establishment of the Principle of the Rule of Law

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“Realization of FOIP and establishment of the Principle of the Rule of Law”

Maintenance and Enhancement of the Maritime Security in the Era of Uncertainties

Mariko Kawano

Professor of International Law

Waseda University, Faculty of Law, Japan

The rise of nationalism and authoritarian regime in some States have caused uncertainties and concerns in the international community. The assertive activities of those States constitute the threat to the maritime security in the relevant maritime areas and have become the preoccupation of the international community as a whole. At the same time, it is necessary to fully note the significant impacts of expanding and diversifying scope and issues relating to the threat to the maritime order.

It is necessary to consider how to maintain and enhance the maritime security and to ensure the rule of law at sea under such circumstances. For this purpose, the importance of respect for and compliance with relevant international legal rules is particularly reemphasized, on the one hand, while the sincere efforts to enhance international cooperation and trust building is required, on the other.

In the era of such uncertainties, the measures directly relating to the international cooperation for the maintenance and enhancement of the maritime security are examined in the context of the cooperation for overall purposes. It is also significant to seek for the diversified modes of regional or subregional frameworks between/among States sharing the same value.

Maritime Security in the Indo-Pacific and China's Use of Grey-Zone The Authoritarian Challenge to the Rules-Based Order in the Indo-Pacific and Conditions for Its Restoration – A European Perspective

Céline Pajon

Head of Japan Research, French Institute for International Relations (ifri)

The rules-based international order (RBO), which has structured international relations since 1945, is now being fundamentally challenged. This contestation is particularly visible in the Indo-Pacific, but it reflects a broader global trend in which the use of force is increasingly perceived as a legitimate means of resolving disputes. For Europeans, these developments pose major strategic challenges, especially as the historical guarantor of this order – the United States – is moving away from it. The Trump II administration is actually not only challenging the RBO, but also the very idea of the Indo-Pacific, if its approach in terms of spheres of influence is to be confirmed.

Challenges to the Rules-Based Order in the Indo-Pacific

Challenges to the RBO in the Indo-Pacific are multiple.

- **Systemic pressure on the rules-based order (RBO):** sovereignty and territorial integrity increasingly challenged; maritime law strained in the East and South China Seas.
- **Erosion of non-proliferation norms:** North Korea's nuclear and missile programs expose the limits of multilateral enforcement.
- **Economic coercion on the rise:** state subsidies, sanctions, tariffs, and extraterritorial measures turn interdependence into strategic leverage.
- **Normative contestation:** diverging standards on human rights, environmental norms, and security weaken the universality of global rules.
- **Crisis of multilateralism:** authoritarian alignments and alternative frameworks challenge existing institutions, amid a return to unilateralism.
- **Hybrid and coercive tools:** lawfare, disinformation, historical revisionism, economic weaponization, and even nuclear blackmail normalize “might over right.”

As the rules-based order erodes, international politics becomes increasingly unstable, uncertain, and unpredictable, accelerating the fragmentation of global governance.

The Trump II Administration

- **A historic rupture:** for the first time, the traditional champion of the rules-based order (RBO) is openly disregarding core principles such as multilateralism and territorial integrity.
- **America First, system second:** the Trump 2 administration prioritizes narrow national interests, coercive diplomacy, and unilateral action, exposing the limits of the RBO while pressuring allies.
- **Normalization of coercion:** US political interference and transactional diplomacy risk legitimizing similar behavior by China and Russia.
- **Strategic retrenchment:** Washington steps back from its role as global stabilizer, focusing instead on access to critical resources, minerals, and territorial leverage.
- **Western Hemisphere first:** priority shifts toward the American continent (including Greenland), while engagement elsewhere becomes more selective.
- **China: competition over confrontation:** rivalry remains central, but strategy favors deterrence, competition, and selective engagement over direct escalation.

This poses an unprecedented dilemma for allies — cohesion weakens, the Indo-Pacific framework is questioned, yet dependence on US security and economic power remains profound.

Implications: Push for strategic autonomy in Europe, irrelevance of Indo-Pacific?

In Europe, the Greenland moment and the push for strategic autonomy

When Donald Trump threatened to use force to acquire Greenland, Europeans, for the first time, seriously contemplated the possibility of conflict with their closest ally. This prompted European political elites and public opinion to reconsider their alliance with the United States since 1945.

We are entering a “Gaullist” or “Macron moment”, in which strategic autonomy becomes a necessity rather than an option, as the benevolent hegemon can no longer be assumed to be benevolent.

However, strategic autonomy is costly. Europeans will speed up efforts to enhance their

strategic autonomy, including by diversifying partners as a hedging strategy: cf. FTA with India, MERCOSUR and articulations with CPTPP.

Pressure on tariffs and troops, and dilemma for democracies, already weakened by populism, high public debt and demographic crisis. They face a strategic dilemma: investing in defense risks social backlash and greater vulnerability to foreign interferences, while prioritizing welfare, growth and redistribution delays defense spending and weakens deterrence and strategic credibility.

Is Indo-Pacific approach increasingly irrelevant?

Despite de facto interconnexion of theaters, US press Europeans to remain in Europe, Asian in Asia. For Europeans, the relative U.S. retrenchment generates both constraints and opportunities. It increases pressure to invest more in the European theater and to build a credible European defense industrial base. **Weakening of NATO: What Implications for NATO-AP4 cooperation** in the future?

The Indo-Pacific narrative is becoming increasingly strained: It is unclear whether the Trump administration remains fully committed to the Indo-Pacific approach, as its focus appears to be shifting toward prioritizing its own backyard and keep obsession with China.

Finally, cooperation with India has become increasingly challenging, complicating efforts to build effective coalitions and undermining the very foundation of the Indo-Pacific approach, which relies heavily on India's engagement as a central partner.

Already, The US' inward-focused posture and coercive tactics, including the imposition of excessive tariffs, **have opened opportunities for China to expand its influence across the Indo-Pacific.**

Restoring the Rules-Based Order: Between Realism and Cooperation

What should we be aiming for? A more legitimate, inclusive order – reaching out to Global South

What conditions and constraints?

- First, a critical mass of states must still believe that a rules-based order serves their interests.
- Second, there must be a clear-eyed acknowledgment that the post-1945 order has never been perfect, universally legitimate, or fully equitable, and that it has often concealed great-power interests.

- While cooperation is possible, competition remains—for markets, standards, technologies, and influence. The condition for success (especially for democracies), is to be able to deliver quickly tangible results to people).

>What should be the next steps ?

To quick-start a cooperation and look at low-hanging fruits.

So A pragmatic approach: start from narrow, overlapping interests, is required:

We are entering an era defined by narrow, focused interests. Rather than overextending, we should concentrate on achievable, high-priority domains by clearly defining narrow, overlapping interests where cooperation is feasible and impactful.

The priority domains should be:

- **Overwhelming issues:** Problems that cannot be ignored, that impact security, integrity, prosperity (deterrence, climate change...).
- **Pressing issues:** Challenges that require immediate attention because they arise under conditions of crisis or urgent pressure.
- **Societally impactful issues:** Areas that directly affect citizens' lives, because populism is rising, democracies need tangible outcomes, including jobs, economic growth, and security.

+Need to build from comparative advantages: Europe: cybersecurity, maritime security, tech norms, green regulation, standards.

> The Way Forward: Pragmatic, Issue-Based Coalitions: Third powers (Japan, India, South Korea, ASEAN states, EU members) can drive **issue-based coalitions** to maintain stability without forcing countries to pick sides.

>Priority issues: Economic security (including securitization and resilience of key GVC, cooperation in defense industry, and critical minerals), Maritime security (Enforcement of the Law of the Sea, securitization of key infrastructures at sea and on seabed (subsea cables)), Addressing hybrid threats, Providing public goods (climate, norms and standards in digital, AI, new domains).

Priorities should focus on building strategic autonomy collectively, beginning with the development of independent capabilities, both economic and defense-related.

Strengthening the Rules-Based Indo-Pacific: FOIP and Canada's Role

Jonathan Berkshire Miller
Senior Fellow, Macdonald-Laurier Institute, Canada

The Indo-Pacific has become the primary battleground where countries fight to control international order rules. The region holds strategic importance because it serves as the central hub for worldwide trade and energy transportation and technological development while providing authoritarian governments with a testing ground to challenge international standards. The Free and Open Indo-Pacific (FOIP) concept, which Japan has championed and others have endorsed, provides a unified system that protects regional order through rules-based governance while safeguarding state rights against outside threats. Through its Indo-Pacific Strategy, Canada views FOIP as a necessary policy requirement because it directly supports its economic security and normative objectives for the region.

FOIP establishes legal governance for the Indo-Pacific region which will substitute military power as the only governing authority. Authoritarian regimes have increased their efforts to exploit international legal standards during the past ten years by using selective legal interpretations and employing non-military coercive tactics. The South China Sea maritime claims and economic leverage through trade coercion create imminent threats that will establish rule violations as normal practice and result in global instability. The shared principles of freedom of navigation, international law compliance, transparent governance, and sovereign equality protection enable FOIP to establish a balanced international system which will maintain stability and openness in regional relations.

One of the central pillars of FOIP is the rule of law. This is not merely a legalistic concern; it is a strategic enabler. When states respect international law, disputes can be managed peacefully, predictability is preserved, and the likelihood of miscalculation decreases. For example, adherence to the United Nations Convention on the Law of the Sea (UNCLOS) provides a framework for resolving maritime disputes and ensures that critical sea lanes remain open. Conversely, attempts to reinterpret these norms to suit unilateral objectives risk undermining regional order and triggering broader instability. By promoting the rule of law, FOIP reduces the scope for coercion, enhances conflict prevention, and provides smaller and middle powers with the legal and institutional tools necessary to protect their sovereignty.

Canada and FOIP – Opportunities and Challenges:

Canada acts as a strategic and practical partner in the development of FOIP. Canada, which exists as a Pacific nation with a highly connected economy, holds ongoing interests in protecting Indo-Pacific maritime routes because of their importance to its nation. The region handles most of the worldwide shipping, which includes essential Canadian trade items and energy resources that maintain economic stability. The economic security of Canada depends on FOIP since it extends beyond being a theoretical principle. Canada establishes its credibility through its trade relations while possessing the necessary expertise to govern and legally operate essential institutional systems that support the execution of FOIP through its operational functions. And Ottawa has multiple specific avenues for making contributions.

As its Indo-Pacific approach evolves, Canada serves as a trustworthy defender of worldwide legal systems because it provides legal knowledge about the legal frameworks that support FOIP as its main function. This domain encompasses maritime law and international arbitration together with rules that oversee international trade and investment activities. Canada establishes regional research capabilities through its partnerships which develop skills in maritime domain monitoring and cyber protection and information security and countering coercion. Canada establishes FOIP principles as operational standards by developing concrete stability procedures which translate these principles into practical use. Moreover, Ottawa functions as a connection point between the Indo-Pacific region and the transatlantic alliance. Through its participation in FOIP, the country strengthens its relationships with Japan and Australia and India and ASEAN countries, while establishing connections to Europe and North America, which increases the number of countries that support an open and rules-based international system.

The middle-power dimension of FOIP is particularly important. Unlike formal alliances, FOIP offers a flexible framework for cooperation that allows countries such as Canada to exercise agency, build coalitions, and respond collectively to coercive actions without being drawn into zero-sum confrontations. This modularity is essential in a region where power asymmetries are significant, but where small and medium-sized states must retain strategic choice. Canada's engagement demonstrates that middle powers can be proactive contributors to regional stability, not merely reactive observers. By investing in FOIP-aligned initiatives, Canada strengthens its influence, supports collective resilience, and helps ensure that the Indo-Pacific does not become a theater dominated solely by coercion or unilateral advantage.

Operationalizing FOIP is as critical as articulating it. Its credibility depends on consistent responses to norm violations, sustained support for regional capacity, and the integration of economic security into foreign and security policy. Canada's approach must therefore be comprehensive: linking trade, investment, and industrial policy with diplomatic and security efforts; coordinating closely with allies and partners to ensure coherent responses to coercion; and actively supporting institutions that reinforce transparency and accountability. Failure to translate FOIP principles into action risks signaling to authoritarian states that rule-breaking carries no cost, undermining the very stability FOIP seeks to uphold.

In conclusion, FOIP represents more than a strategic vision but is more like a framework for preserving an Indo-Pacific region in which law and norms constrain power, disputes are resolved peacefully, and states retain genuine freedom of choice. Canada's role is integral: as a Pacific nation with economic exposure, legal expertise, and the capacity to act as a bridge between regions, Canada has both the interest and the ability to reinforce FOIP principles – although it needs to stay politically committed. By actively supporting FOIP, Canada not only safeguards its own security and prosperity but contributes to a broader international order in which rules still matter. In an era of authoritarian contestation, Canada's engagement demonstrates that middle powers can and must be proactive architects of a stable, open, and rules-based Indo-Pacific.