

---

---

# INTERNATIONAL LAW STUDIES

— *Published Since 1895* —

## Introduction to the Indo-Pacific Command Paper Series

*Raul (Pete) Pedrozo*



97 INT'L L. STUD. 4 (2021)

Volume 97



2021

---

---

*Published by the Stockton Center for International Law*

ISSN 2375-2831

## Introduction to the Indo-Pacific Command Paper Series

*Raul (Pete) Pedrozo\**

---

\* Captain, JAGC, U.S. Navy (Ret.) and Howard S. Levie Professor of the Law of Armed Conflict, Stockton Center for International Law, U.S. Naval War College. The original papers were edited by Commander Matthew Wooten, JAGC, U.S. Navy and Lieutenant Commander Miles Young, U.S. Coast Guard; and approved by Colonel Thomas McCann, U.S. Marine Corps.

The thoughts and opinions expressed are those of the author and not necessarily those of the U.S. government, the U.S. Department of the Navy, or the U.S. Naval War College.

In 2019, Commander, U.S. Indo-Pacific Command (USINDOPACOM), decided to develop and publish a series of “Blue Papers” that articulate U.S. views on the rules-based international legal order that governs the world’s oceans and has brought peace and prosperity to the region over the past seventy-five years. USINDOPACOM is one of six geographic combatant commands, with an area of responsibility (AOR) that covers over 50 percent of the Earth’s surface, much of which is water, stretching from the U.S. West Coast to the west coast of India, and from the Arctic to the Antarctic.

Few regions in the world are as culturally, socially, economically, and geopolitically diverse as the Indo-Pacific region. The thirty-six nations in the AOR are home to over 50 percent of the world’s population, speaking over 3,000 different languages. Two of the three largest economies in the world, seven of the world’s ten largest militaries, five U.S. treaty allies, the two most populous nations in the world, as well as the world’s largest democracy and the world’s largest Muslim-majority nation, are found in the AOR. The Indo-Pacific region drives the global economy and includes the world’s busiest international sea-lanes and nine of the world’s ten largest ports. Given these conditions, the strategic complexity facing the region is unique.

As a maritime AOR, the Indo-Pacific is dependent on free and open access to the global commons and the strategic sea lines of communication that traverse the region for trade and military operations. Freedom of navigation and overflight, and other internationally lawful uses of the seas associated with those freedoms, are the lynchpin to preserving peace, security, and economic prosperity for all nations in the region.

Several nations in the AOR have excessive maritime claims that are illegal under the law of the sea and challenge the rules-based international legal order that regulates the world’s oceans. If these claims go unchallenged, they could mature over time and impede navigational rights and freedoms enjoyed by all nations. The USINDOPACOM “Blue Papers” are intended to counter the flawed narrative espoused by these nations and articulate U.S. views on a number of important maritime issues, including the U.S. position on the United Nations Convention on the Law of the Sea; the establishment and operation of air defense identification zones in international airspace; unimpeded transit rights through archipelagic waters and international straits; excessive maritime claims and the U.S. Freedom of Navigation program; applicable navigational regimes and coastal State competencies in the various maritime zones; and the right to conduct military activities in the

exclusive economic zone. Additionally, several of the “Blue Papers” address South China Sea-specific issues, such as the South China Sea Arbitration case, the U.S. protest concerning China’s excessive claims in the South China Sea, and an overview of the new U.S. South China Sea policy.

The information contained in the “Blue Papers” is intended for use by commanders, operations officers, and national security law attorneys involved in planning and executing routine and contingency operations in the USINDOPACOM AOR. By clearly articulating the U.S. position on these critical issues to all nations in the AOR, the “Blue Papers” will maintain law and policy transparency in the Indo-Pacific region and reduce the possibility of miscalculation.