ISPSW Strategy Series: Focus on Defense and International Security
Security Dialogue on the Maritime Domain
Options for Coordination in Maritime Security and Defence

Issue
No. 248
Sep 2013

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Lutz Feldt

September 2013

Abstract

Increasing maritime insecurity not least terrorism, illegal immigration and asymmetric threats caused by criminals and governments, has highlighted the need for better maritime safety, security and defence. Threats are affecting directly nations territory and their citizens from the sea, they are affecting the global maritime interests and they affect global resources at sea.

I want to offer three different areas for cooperation and coordination in the maritime domain:

- Maritime Surveillance, locally, regionally and globally, using existing systems and developing interoperable standards and procedures;

- Maritime Capacity Building, with a special focus of training and education;

- Achieving Global Maritime Governance by developing the United Nations Convention on the Law of the Sea and strengthen the United Nations Security Council to enforce compliance with UNCLOS.

Information sharing is the guiding factor in most of the maritime security issues and there is a responsibility to share today, the "need to know" principle is the most important obstacle for improving maritime safety and security.

The different strategic stakeholders are the important and responsible actors in the maritime domain and they are responsible for appropriate civilian and military assets and all four spaces: maritime, air, outer space and cyberspace. But with the emerging maritime powers of Brazil, China, India and Japan, the number of actors is increasing and they have to look for new opportunities but they have to accept new obligations too.

Three very successful examples should be used as an encouragement for cooperation and coordination:

1. The "Shared Awareness and Deconfliction" process, SHADE, in the Indian Ocean;

2. ReCAAP, which is a very successful regional process with 14 Asian nations and three European Nations participating and

3. "The Global maritime Partnership" as a "network based" initiative.

But we all know that a strong political ambition and will with the appropriate leadership is needed to implement these processes.

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

About ISPSW

The Institute for Strategic, Political, Security and Economic Consultancy (ISPSW) is a private institute for research and consultancy. The ISPSW is objective and task oriented and is above party politics.

In an ever more complex international environment of globalized economic processes and worldwide political, ecological, social and cultural change, bringing major opportunities but also risks, decision-makers in enterprises and politics depend more than ever before on the advice of highly qualified experts.

ISPSW offers a range of services, including strategic analyses, security consultancy, executive coaching and intercultural competency. ISPSW publications examine a wide range of topics connected with politics, economy, international relations, and security/ defense. ISPSW network experts have worked – in some cases for decades – in executive positions and possess a wide range of experience in their respective specialist areas.

About the Author of this Issue

Vice Admiral (rtd.) Feldt was engaged in sea duty assignments for 13 years, which included leadership functions on all command levels and duty assignments in different naval staffs. Since retirement, Vice Admiral (rtd.) Feldt has occupied several posts of honor. He was president of the German Maritime Institute until June 2012 and is now a member of its board. From 2008 until 2009, he was working for the European Commission (from 2008 till 2009) as advisor for the "Instrument for Stability". From July 2009 to December 2010, he served the European Defence Agency as member of the Wise Pen Team, working on topics of maritime surveillance and maritime security. Since August 2011, Vice Admiral (rtd.) Feldt, in his function as a Director of the Wise Pens International, he is working on studies dealing with future maritime safety, security and defence, for example "On the Future EU Maritime Operations Requirements and planned Capabilities "together with his fellow Directors. Recently they have finalized a study about "Naval Challenges in the Arctic Region".

Lutz Feldt

ISPSW Strategy Series: Focus on Defense and International Security
Security Dialogue on the Maritime Domain
Options for Coordination in Maritime Security and Defence

Issue
No. 248
Sep 2013

ANALYSIS

It is my intention in the next 20 to 25 minutes to describe very briefly aspects of the maritime domain, which have an impact on Maritime Security and Defence on one hand and which are offering opportunities for coordination and cooperation on the other hand. I will conclude with some experiences which we have made in Europe and which might be worth to discuss and evaluate. It will not be possible to cover all aspects during this intervention but I am looking forward to the Q&A period.

Increasing maritime insecurity, not least terrorism and illegal immigration and asymmetric threats caused by criminals and governments, has highlighted the need for better maritime safety, security and defence. More effective and coordinated collective action is the only appropriate way to respond to these different challenges. Many useful initiatives are already underway under the aegis of both Maritime Nations and the International Community.

It makes sense to have a brief look into the challenges, vulnerabilities, risks and threats, which are related to the global maritime domain.

In principle we can separate the main risks and threats in three categories:

1. Affecting directly nation territories and citizens from the sea:

    *   Terrorism from the sea through infiltration of commandos or the use of explosives or weapons of mass destruction

    *   Human trafficking, which exploits illegal immigration, endangering the stability of nations

    *   Narcotics and arms trafficking, including small arms

    *   Navy to Navy engagement at small and medium seize dimension

2. Affecting the global maritime interests:

    *   Piracy

    *   Smuggling of goods of all kind, size and value

    *   Disputes over maritime borders and the Exclusive Economic Zones between nations and the international community

3. Affecting global resources at sea:

    *   Environmental degradation, such as dumping of toxic waste at sea

    *   Risks to biodiversity in our sea basins

    *   Illegal, unreported and unregulated fishing

    *   Illegal pumping of oily bilge water into the high seas

    *   Maritime accidents, collisions, groundings, wrecking which pose a continuous threat to ships, ports, all seaborne maritime infrastructure and the global coastlines

	ISPSW Strategy Series: Focus on Defense and International Security	Issue
	Security Dialogue on the Maritime Domain	No. 248
	Options for Coordination in Maritime Security and Defence	Sep 2013

All these risks and threats, as well as other criminal or unlawful activities at sea, affect all countries around the globe. For example, illegal immigration and narcotic trafficking from overseas today constitutes significant internal threats to Europe, but are a threat in the Asian region as well. IUU fishing, toxic waste dumping and illegal oil bunkering severely undermine the economy viability and internal stability of African coastal states. The inability of weak or failed states to control their maritime areas is a contributing factor in destabilisation. Tourists are similar vulnerable, as they are increasingly attracted by exiting and exotic destinations regardless of risk. Emergency mass evacuations have been carried out recently in the Mediterranean Sea by air and by sea, including naval units.

I want to offer three different areas for coordination and for cooperation, keeping in mind that this can only be an offer, not more but not less.

Maritime Surveillance local, regional, national and international is an excellent option for coordination and cooperation.
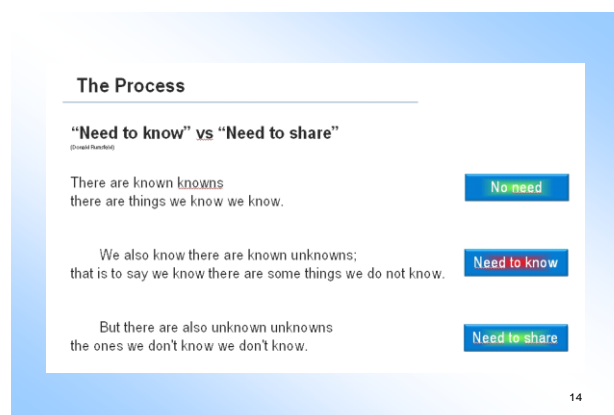
Maritime Capacity Building is another option and Global Maritime Governance is worth to think about as well.

The European Commission has implemented an "Integrated Maritime Policy" dealing with the social, economic and environmental challenges, and an associated project establishing a "Common Information Sharing Environment" for Europe and beyond.

But there are other, well developed, initiatives in place and working elsewhere such as ReCAAP in South East Asia, the V-RMTC in the Mediterranean or MSSIS, the Maritime Safety and Security Information System, which is a long-established global system.

These systems all share two essential preconditions for delivering maritime safety, security and defence:

1. The first is information sharing: we need to move from the "need to know to the "need to share" and, if lives are at stake, acknowledging the "responsibility to share".

2. The second is a common picture of the maritime situation as a crucial prerequisite for coordination and cooperation: we have to share data, information and at least knowledge about what is going on in the maritime domain.

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

These principles reflect one core element of Maritime Security, the principle of "Need to Know" is a relic of the days when communications and information systems were based on a very restricted band of radio frequencies shared between many different user communities transmitting formal messages through dedicated but extremely limited capacity networks. In contrast today, the life cycle of hardware gets ever shorter and software programs get ever more sophisticated with almost all information available on the internet and different social or other networks. So we now need a correspondingly different mentality with a change in our official mind set when it comes to information sharing in the maritime domain, and we can find an excellent example in the world of aviation, where this open exchange has been the norm for years and is constantly being improved.

Maritime Surveillance provides a picture of the maritime situation for all stakeholders acting or involved in the maritime domain.

All stakeholders have a common global responsibility:

- A strategic responsibility

- An operational responsibility

- A tactical responsibility

Maritime domain awareness is essential to recognize, identify and counter risks and threats, covering the air, surface and subsurface dimension. The first step to achieve MDA is maritime surveillance.

Who are the maritime actors from global and regional perspectives? The antithesis of "Maritime Domain Awareness" is "Sea Blindness". Although affected differently, maritime stakeholders in the Europe, reflect the "sea blindness" endemic in the general population, their national Parliaments and in EU authorities. We have learnt that this is quite different in Asia, and we should pay attention to the experience and knowledge available to improve our situation.

To understand properly the need for robust maritime security and thus improved maritime surveillance, it is important to appreciate the importance of the sea for the welfare and prosperity of countries – as a means of commerce, as a source of energy and food, as a habitat and for power projection create good governance at sea. But for some the sea is a conduit for many kinds of illegal, dangerous and criminal activities as well. Unless and until this situation is fully recognised, the policy changes required will not be implemented and it will be impossible to increase maritime security to a satisfactory level.

But we have to recognize that the examples of "Maritime On-Call-Forces" or "Standing Naval Forces" like NATO´s four standing Task Forces or the European Union's on-call-force in the Mediterranean are rare exceptions in the maritime domain. The US initiative to operate three different Combined Maritime Forces, engaged in the Indian Ocean and the Arabian Golf, is another example how to act. One crucial question is, who is providing the maritime authority to enforce the Law of the Sea and bi- or multi-lateral agreements and who is or could become this authority. Therefore to have a look who are in charge makes sense.

There are six strategic key stakeholders in charge of Maritime Safety, Security & Defence:

1. United Nations through the International Maritime Organization, IMO

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

2. United States Navy, Coast Guard and Marine Corps through their common "Maritime Strategy", United States Government through support to IMO

3. North Atlantic Treaty Organization for many navies of the world, with a Maritime Strategy & a Maritime Security Operation Policy, MSO

4. European Union through the Commission, the Military Staff, the Integrated Maritime Policy

5. The African Union through its ambition to implement an own African Maritime Security Strategy

6. Nations i.e. Brazil, Russia, India, China and Japan as individual/aligned nations with own naval and maritime ambitions & Strategies

As part of the United Nations, the IMO provides very effective administration, acting globally and supporting regional initiatives through an enduring process of consolidation process. But the UN has very limited operational maritime experience and no mandate to enforce existing laws itself. The UN's first naval mission is UNIFIL, enforcing a weapons embargo off the coast of Lebanon.

The United States is an actor at all three levels: strategic, operational and tactical and supports the IMO even though the US Senate has still not ratified UNCLOS.

The rapid implementation of the ISPS Code after the 9/11 terrorist attacks on the US homeland shows that, provided the collective political will exists, the response can be very rapid.

The US has the means to project power and conduct law enforcement missions, but US presence is becoming more limited overall. It has already reduced in the Mediterranean and the Atlantic, will probably continue at current levels in the Indian Ocean, increase slightly in the Arctic and significantly in the Pacific.

NATO has adopted both a Maritime Strategy and a Concept of Maritime Security Operations. The Maritime Strategy has been expanded from a purely military strategy into a much more comprehensive one, including civilian and military tasks and placing Maritime Security as a new task with a higher priority. NATO has the means to be active at all three levels, according to the political decision of the nations. NATO has a well developed and proven Command Structure, which can be used by the EU as well, when the political will permits. Four different Standing Naval Forces are operating on permanent missions in the MED, the Indian Ocean, the North Atlantic and the Baltic Sea. European Navies are participating in and may command three US led Coalition Maritime task forces under bi-lateral agreements. Recent operations demonstrate the strengths and weaknesses of the Alliance at the strategic and operational levels.

For its part, the EU has a European Security Strategy (ESS) with three objectives: addressing the threat, building security in the neighbourhood and achieving an international order based on effective multilateralism. The ESS predates the Lisbon Treaty, which advocates further coordination and cooperation between Member States, the European Agencies and Third Countries. One role of the collective maritime services could therefore be to expedite this process of coordination and cooperation in some maritime tasks. The EU could employ an on-call Naval Force such as EuroMarFor in the Med. Similarly, Frontex operations in the Med are an important element in achieving good governance at sea. Taking Operation "Atalanta" together with the Maritime Capacity Building programme in the Horn of Africa region is a huge step towards more cooperation. And all these operations are open for other, non EU countries as well: no Nation has asked the European Union so far but Operation Atalanta is open for non European Navies as well.

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

As an intermediate conclusion, it is clear that there are areas for coordination and cooperation. It is our experience that a regional approach and a "step by step" approach to achieve better coordination is a successful process. There are examples in the region, which can be used as blueprints or should be developed further.

But there are principles, which could significantly and promptly improve the present maritime security situation.

The principles should include:

- Collective and sustained political will, leadership and commitment;

- Credible capability, whatever the mix of civilian and military forces;

- Embracing a holistic, comprehensive approach to all security issues with a maritime dimension;

- Understanding that the maritime context is worldwide and responses to threats and risks have global reach;

- Taking a regional rather than centralized approach;

- Encouraging evolutionary, step by step rather than radical change;

- Attempting to impose boundary lines in the sea, to separate or establish operational boundaries between different countries are simply a reflection of the standpoint of a single nation and hinders the potential effectiveness of any action;

- Nations seagoing Law Enforcement Authorities should undertake coordinated operations at the first step and common exercises and training as a second and third step, so that their capabilities are supplementing each other;

- Extending stability inside a region and globally will require vision, political courage, generosity and sustained leadership commitment. Establishing the political priority is a *sine qua non.*

Three examples can be used and we have to answer the questions linked to them.

The first example for a successful coordination is the SHADE process which signals a clear will for coordination and which was is so successful due the fact that it started as an open meeting which equal rights and responsibilities and the consensus, that for the purpose of all naval operations, coordination was crucial.

Shared Awareness and Deconfliction (SHADE):

- Since 2008 a mechanism of meetings aimed at coordinating and de-conflicting activities between contributors in military counter piracy operations;

- An important aspect of SHADE is Information Sharing and exchange of views between representatives from 27 countries, 14 international organisations and maritime industry;

- The importance of the International Recognized Transit Corridor, IRTC;

- China, India and Japan agreement.

The second example is the already mentioned coordination and cooperation between 14 nations in Asia and three European Nations in ReCAAP, which is from my perspective a "regional maritime regime". The value of

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

ReCAAP depends very much on the ambitions of the participating Nations and their political will to improve the agreement and to invite more Nations to participate.

ReCAAP: A regional regime?

- „The regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia is a good example of successful regional cooperation which IMO seeks to replicate elsewhere";
- 14 members from Asia plus Denmark, the Netherlands and Norway;
- ReCAAP Focal Points, Information Sharing Centre in Singapore, national Maritime Rescue Coordination Centre, Training and Exercises: Capacity Building.

A third already existing initiative is the idea of a "Global Maritime Partnership". This network-based idea is not new. A similar approach had been made by Admiral Mullen in 2005 called the "thousand-ship navy" concept.

Real-world operations have demonstrated that networking maritime forces is crucial to the effectiveness of operations, especially in the arena of maritime security. Technical, procedural and command and control are the greatest challenges. Different technological principles, different or non-compatible procedures, and a different command and control philosophy are reasons for obstacles in coordination and cooperation. It is worth to discuss how we can overcome these obstacles: from my experience the technical part is challenging but it can be solved. The Standardisation of procedures is much more difficult and the Command and Control will remain the greatest task to solve.

Global Maritime Partnership:

- Global approach to International Maritime Security;
- A voluntarily global network, bringing together capabilities of the Nations;
- The concept aims to maritime forces, port operators, commercial shipping, international governmental and non governmental agencies who are concerned about maritime security;
- Bringing together already existing regional maritime security initiatives.

To conclude, the main recommendation is, in the first instance, to identify the regional dimension of all maritime security related activities in all sea basins of common interest. Maritime Surveillance, Maritime Capacity Building and Global Maritime Governance can be used as facilitators for better coordination and offer good opportunities for coordination and cooperation.

The requirement is to gain the involvement and cooperation of all stakeholders with a clear and equitable sharing of responsibilities and respecting their sovereignty rights without any restriction.

To achieve this, we need to continue to improve the existing regional coordination initiatives. Each region should decide their regional and global priorities and develop a policy and a roadmap for action. This roadmap must be developed in a common process with all appropriate authorities. We will need strong political commitment and leadership.

<div align="center">***</div>

ISPSW Strategy Series: Focus on Defense and International Security

Security Dialogue on the Maritime Domain

Options for Coordination in Maritime Security and Defence

Issue

No. 248

Sep 2013

Remarks: Opinions expressed in this contribution are those of the author.

This lecture has been given at the international conference *Japan-European Security Dialogue on the Maritime Domain*, organized by the Konrad Adenauer Foundation and The Tokyo Foundation, July 23, 2013, Tokyo.