Maritime Security: Strengthening International and Interagency Cooperation

Julia Voelker McQuaid

Conference Report

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090413-M-3079S-081 INDIAN OCEAN (April 13, 2009) the guided-missile destroyer USS Bainbridge (DDG 96) tows the lifeboat from the Maersk Alabama to the amphibious assault ship USS Boxer (LHD 4), in background, to be processed for evidence after the successful rescue of Capt. Richard Phillips. Phillips was held captive by suspected Somali pirates in the lifeboat in the Indian Ocean for five days after a failed hijacking attempt off the Somali coast. (U.S. Marine Corps photo by Lance Cpl. Megan E. Sindelar/Released).

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Dr. Eric V. Thompson
Director, International Affairs Group

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CONTENTS

Executive Summary

The world is facing a substantial range of maritime security challenges. While piracy off the East Coast of Africa has attracted the most attention over the past year due to the saliency of its threat to world commerce, weaknesses in maritime security capacity are resulting in a multitude of destabilising effects and loss of significant revenue in many developing countries. The international maritime community should attempt to build on the initiatives undertaken to combat Somali piracy in order to fashion long-term, sustainable solutions to a broad range of maritime security challenges. Additionally, the international maritime community should consider the following in its efforts:

- Military capability alone will not solve maritime security challenges; there must be a collective and coordinated effort across multiple sectors. Nonetheless, naval forces have an important role to play, and some believe this will require a new generation of small, fast, and cheap vessels to enhance their ability to do so.

- Regional co-operation and capacity building are likely to provide the most effective basis for long-term, sustainable solutions. The international maritime community should consider focusing on key regions where maritime security is weak or absent and working in close partnership with regional organisations to help build local capacity for maritime security.

- Assistance for local capacity building on the part of international donors needs to be complementary and synergistic, with intense staff level coordination carried out among donors and with recipient countries.

- Increased information sharing is the key to improved maritime situational awareness, which constitutes the greatest "force multiplier" in meeting maritime security challenges. A culture of information sharing must be advanced within and between all maritime stakeholders, including government and industry, which need to work together to understand better each others' priorities and equities.

- Steps must be taken to enhance interlinking of existing maritime surveillance systems as well as to build wider interoperability into future ones, and efforts made to define better the scope of shareable information in an open architecture.

This report is a summary of remarks speakers and participants made at a conference CNA held in partnership with Wilton Park and the Royal United Services Institute for Defence and Security Studies (RUSI), with additional support from Department for Transport, Thales, and Aegis Research and Intelligence in January 2009..

Introduction

Headlines around the world today describe the dramatic rising tide of criminal behaviour at sea: piracy off the coast of Africa, illegal immigration across the Mediterranean, and the flood of narcotics into Africa and Europe from across the Atlantic, to name only a few. Some experts estimate that currently 12 percent of all maritime activities take place 'on the dark side.' As these activities increase in number and spread to new locations across the globe, we are beginning to witness the detrimental economic and security impact throughout the world. The rise in illicit activity at sea affects not only developed nations that rely on free access to maritime shipping lanes for their economic success and prosperity, but also underdeveloped, vulnerable nations whose weak infrastructure and internal economic and political stability are placed under even greater duress.

With these challenges in mind, this conference addressed critical questions on how to improve global maritime security. Speakers tackled issues such as the evolving nature of risks and threats in the maritime environment; the current gaps in the gathering, the sharing and the analysis of information; bilateral, regional, and international legal frameworks for maritime security; and the role leading maritime powers and multinational organisations can play in assisting developing countries to build capacity for securing their coastal areas. This report summarizes the presentations and discussions on these topics and concludes with a set of implications and considerations for maritime stakeholders.

I. The Maritime Environment Today: Existing and Emerging Threats

The piracy attacks on commercial shipping off the coast of Somalia are in the spotlight of maritime security today. While governments may not have fully recognized the importance of maritime security in the past, the increasing numbers of attacks in recent years have seized the attention of policy makers, private sector stakeholders, and defence entities around the world. Trends on the frequency and severity of attacks over time indicate that the problem is becoming worse. The November 2008 attack on the Sirius Star, for example, took place farther out to sea than any previous attacks, and it was also the largest vessel ever to be hijacked. In addition, at the time of the attack, the ship was transporting $100 million worth of crude oil.

However, piracy is not the only, nor even the most severe maritime challenge facing the international community. The following activities also pose severe threats to the free and safe usage of the global maritime system:

- Illegal immigration
- Narcotics trafficking
- Oil bunkering and smuggling
- Human trafficking and smuggling
- Environmental degradation (such as the dumping of toxic waste at sea)
- Illegal, unreported, and unregulated fishing (IUU)
- Arms trafficking
- Maritime accidents
- Movement of weapons of mass destruction (WMD)

- Disputes over maritime borders between coastal nations
- Maritime terrorism

Occurrences of these other criminal activities at sea are affecting countries across the globe. For example, illegal immigration and narcotics from overseas today constitute significant internal threats to the United Kingdom. For coastal African nations, IUU fishing, toxic waste, and oil bunkering severely undermine their economic viability and internal stability. Some speculate that the impact of the narcotics industry in West Africa today could lead to toppled governments and widespread destabilisation in the near to medium future. Finally, some predictions are that the United States will depend on West Africa for up to 25 percent of its oil imports within the next decade, placing energy security as one of the United State's top maritime priorities.

A look into the future: a "worst case" scenario

According to a 'worst case' analysis, the world is undergoing a fundamental shift. In the future, countries will increasingly resort to competitive rather than to cooperrative approaches to promoting national interests. As a result, global institutions and governance will be weaker. The return of competition for spheres of influence may emerge, as well as a new colonialism at sea. There will be a global scramble over resources in four contestable venues: sea, space, Africa, and the Polar regions. With regard to the seas, there will be competition instead of cooperation, and interests will be global as opposed to local.

The implications of such a future will be most severe for developing countries and their governments. Many of these nations are already struggling to protect their populations from dwindling resources. Population growth is a serious concern and many nations have large populations living in regions of extreme danger, along coastlines and other areas where natural disasters are likely to occur. As thermal water levels change, problems associated with hunger and safe water will be aggravated.

There will be an increased U.S. presence globally, bumping up against other global powers, such as China and Russia, with similar desires and ambitions. Today, there is already a temptation on the part of nation-states to expand their territorial waters out to 300 nautical miles. If we consider this within this future competitive international environment, there will likely be a rush among nations to make claims and take resources that they see as theirs, which could lead to a major scramble for resources and perhaps the potential for widespread conflict.

II. International Legal Frameworks for Maritime Security

As the international community takes on issues of maritime security directly, the laws and frameworks that govern what nations can, and cannot, do at sea become increasingly important. In general, maritime stakeholders agree that the UN Convention on the Law of the Sea (UNCLOS), which governs all international maritime matters, is an adequate international framework to govern responses to emerging maritime security challenges. UNCLOS exists to reduce the threat of conflict at sea, defines the rights and responsibilities of states with regard to the sea, and establishes maritime boundaries. UNCLOS also includes international law on piracy;

article 100-111 of UNCLOS address the issue of armed robbery and piracy against ships.[1] The primary obstacle to the effectiveness of the UNCLOS framework is that the regulations and standards outlined in the existing agreements must be implemented at the national level. It is incumbent on participating governments to implement the guidelines and regulations articulated by the IMO in support of UNCLOS. Oftentimes, implementation is hindered by the perception on the part of signatory states that carrying out the provisions in the agreement may run counter to national interests or impose unwanted costs. As a result, there is insufficient international cooperation on the implementation of the framework.

Maritime stakeholders recognize that maritime law is important in achieving effective maritime security. From a legal perspective, piracy is not the only, nor the most important international security challenge; however, it is a useful issue to explore in order to understand the boundaries of existing international law related to maritime security. There is agreement that the laws already exist to guide states on how to execute antipiracy efforts. The most difficult challenge so far has been how to resolve conflicts and gaps that exist between the various levels and types of law, including international, domestic, human rights, and regional law, as the discussion later in this report of responses to piracy illustrates.

UNCLOS will continue to provide the fundamental legal guidance for resolving issues of maritime security. Even countries that have not ratified UNCLOS rely on it for resolving legal problems. It remains the guiding framework for maritime security, but it is not perfect and there are still gaps and holes in the law that must be addressed. For those who envision the emergence of a more "Hobbesian" global environment, the efficacy of UNCLOS in the long-term may not be adequate to resolve future conflicts and resource scrambles.

III. The Role of Navies in Maritime Security

Naval forces have played an important role in maritime security in general and in the counter piracy effort in particular. However, there is an ongoing debate over whether navies and military forces are the most appropriate vehicles for addressing many of the issues of maritime insecurity. This is part of an even broader debate within the defence community on what is the appropriate role for navies in the world today. Historically, in addition to warfighting, one of the original roles of navies was to protect merchant shipping; the focus was to protect the economic interests of a country (profitability and stability). Navies have also conducted diplomacy, served as deterrence, and provided "presence" in strategically important locales. Today, one view is that antipiracy and other maritime security operations are essentially law enforcement missions being executed through military means. Even for nations with coast guards, which traditionally take on constabulary duties at sea, there is a blurred line between the functions of a navy and a coast guard.

[1] UNCLOS requires states to adopt and implement standards for the use of the sea developed by the International Maritime Organisation (IMO), which develops and maintains a comprehensive regulatory framework for shipping. Three well-known, and perhaps most relevant, IMO conventions are the Safety of Life at Sea (SOLAS), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA), and the International Port and Ship Facility Security Code (ISPS). As part of its mandate, the IMO takes an active role in the effort to solve the piracy problem. In 2005, the IMO held a meeting in Aden on the issue of piracy in the Gulf of Aden, and the organisation continues to play an important role in finding solutions to the piracy issue, recently hosting a meeting in Djibouti for regional actors.

Navy stakeholders widely agree that navies should play a broader role in countering piracy and in maritime security operations. The general perception of navies, however, is that they are only doing counter piracy on a temporary basis: navies should not be thought of as the sole, long-term solution to piracy. At the same time, in the short-term navies may be the only solution available.

Appropriate platforms and capabilities for maritime security

As always, the naval community continues to consider the types of platforms and capabilities maritime security forces will need to meet the challenges of the future. Based on various assessments of what future threats will be, some countries believe that their navies need to be expeditionary, to be trained, and equipped to fight major wars, and to continue to provide important engagement and capacity-building activities throughout the world. Such countries will continue to need high-end, high-tech "blue water" platforms, such as aircraft carriers and large amphibious ships. At the same time, with the increase of maritime crime and violence, others believe that navies need to be more constabulary in nature. In this view, resources should not be focused on building platforms to prepare for big wars that may never happen. A third view is that future navies will need to be prepared to do both.

High-end navies today face difficult internal decisions on how to equip their own forces to meet the types of law enforcement challenges posed by criminals and terrorists at sea, while at the same time remaining prepared to fight major wars. These navies voice concerns that governments may overcorrect in a knee-jerk response to the current spike in world attention on piracy by overemphasising equipping their forces with the types of platforms and capabilities appropriate for maritime security and law enforcement. High-end vessels trained for war are also able to conduct law enforcement (with the proper authorities); it cannot be said, however, that small vessels, built for maritime security activities close to shorelines, can effectively fight wars or protect major maritime passageways. The trade-off is that large numbers of ships are needed in order for maritime security operations to be most effective, but highly capable naval platforms are too costly to be built in sufficient quantity.

Maritime Situational Awareness

Long-term solutions to complex international security challenges do not exist in one sphere. In an increasingly networked and multifaceted global environment, a comprehensive, "whole of government" approach is required. From a military perspective, establishing Maritime Situational Awareness (MSA) is a key aspect of the comprehensive approach. Maritime security operations cannot be successful without MSA. As such, enhancing capabilities that provide situational awareness should be a priority. There are many sources of data that can contribute to creating a shared operational picture, including from private sector entities.

In order to enhance MSA, there must be a culture of information and intelligence sharing. Timely intelligence and close coordination are vital to effective maritime security. Coordination to improve maritime security occurs at several levels. At the national level, applying an interagency approach is required for maritime security. Over the past several years, the United States has taken several measures to enhance an interagency approach to maritime security. For example, the United States has created the office of Global Maritime Situational Awareness (GMSA) to lead interagency coordination on maritime security. GMSA is a joint endeavour of the US Coast

Guard and US Navy to facilitate a collaborative global, maritime information-sharing environment through a unity of effort across entities with maritime interests. In the U.S. experience with interagency coordination, often the biggest obstacles are cultural barriers between different agencies and departments. There is a long tradition of not sharing information with outside agencies due to the tendency of government entities to protect their own interests and resources.

At the regional and sub-regional levels, countries must be willing to work together. This means information and intelligence sharing, as well as coordinated efforts on the seas. At the sub-regional level, the goal should be to have countries working together, initially through information sharing. Additionally, issues such as hot-pursuit are probably best addressed at the sub-regional level.

The EU Commission issued a Blue Paper in 2007 on an integrated EU maritime policy. With respect to maritime surveillance, the Blue Paper provides policy guidance and authority to promote the interoperability of monitoring and tracking systems in support of law enforcement activities. The EU is launching a pilot project to test the feasibility and added value of pursuing the integrated management of European monitoring and tracking systems.

At the international level, ideally all nations would share maritime information and intelligence. Achieving this level of cooperation and coordination, however, is a challenging endeavour to say the least. A successful example of an international, coordinated information-sharing arrangement is the Maritime Safety & Security Information System (MSSIS), which was created by the US Department of Transportation's Volpe Center to obtain information from ships, primarily using the Automatic Identification System (AIS). In addition to creating avenues for useful information sharing on vessels, MSSIS is also sensitising nations to common maritime security challenges. In 2008 forty-four countries were sharing AIS data via MSSIS, which uses an internet-based interface. All countries that put data into the system are entitled to receive data from it.

There are limits to what AIS data can achieve; it is IMO required, but data input is done by ships and it can be turned off. There are some indications, however, that beyond the data, this network promotes a "culture" of information sharing between nations. It can help to break down pre-existing reluctance to share with other nations and has become a powerful tool in building trust.

Over classification on the part of governments is also a major obstacle to information sharing. In the eyes of many, the U.S. Department of Defense seems to unnecessarily classify data that could benefit coordinated efforts. The tendency to over classify continues to be relic of the Cold War. A shift does seem to be occurring, and nations are increasingly aware that changes need to be made to information-sharing laws and regulations.

Interoperability between nations' maritime forces is also important for effective maritime security. Interoperability does not necessarily mean that less developed countries need to have the same technologies and systems as high-end navies. Since the terrorist attacks of September 11th 2001, intelligence, surveillance and reconnaissance (ISR) capabilities have improved dramatically. However, these high-end ISR technology systems are expensive. Low-tech contributions can have as much impact as can the high-tech ones. There is no substitute for local knowledge, for example. With regard to intelligence sharing between countries, compatibility of

systems is often limited. Even countries that maintain close relations often use different systems and different technology.

The role of private industry in maritime situational awareness

Close cooperation and communication between government and the private sector is a critical means of enhancing maritime situational awareness. The primary players in the private sector are energy, insurance, and commercial shipping companies. As maritime security efforts evolve, these entities should be part of the discussion. Their interests and equities need to be considered if they are expected to contribute to governmental maritime security activities and initiatives. To facilitate this effort in the United States, GMSA has put together industry working groups that convene individuals to discuss how information can get to government. The commercial side and the naval side must understand each other and must be working toward common goals.

Part of the challenge is determining what information is needed, particularly when governments request information from private sector entities. For example, government wants information from merchant shipping (this community often has helpful, important information to give). But government must make industry understand why it needs the information, as gathering and transferring information makes additional work for merchant shipping companies and thus absorbs time and resources. Additionally, governments must ensure that information provided is actually used effectively for collective benefit and does not just become information sharing for its own sake.

Initiatives to enhance maritime security in Africa

Within African governments and regional organisations, the issue of maritime security continues to move up the list of security challenges facing the continent. Illegal fishing off African coasts represents a potential loss of revenue estimated at some US$50 billion per year. Oil bunkering and vandalism in the Gulf of Guinea during the first nine months of 2008 resulted in the loss of almost US$21 billion in revenue. Africa has also become a major hub for international narcotics smuggling, which is starting to have a destabilising effect on a number of African countries.

The African Union (AU) has taken steps to improve maritime governance of the continent's coastlines, and the issue of maritime security has become a higher priority within the organisation in recent months. Currently, the AU is creating a maritime safety and security department that will deal exclusively with these issues. The organisation is also trying to raise awareness among member states of the importance of maritime security for economic prosperity and long-term stability. The AU plans to develop a long-term strategy for improving maritime security in Africa that will include specific performance measures for capacity building over time.

There has also been advancement at the regional level in Africa in the Gulf of Guinea with the creation of the Maritime Organisation of West and Central Africa (MOWCA). MOWCA is a regional security organisation that focuses on maritime issues. Currently, MOWCA is promoting an initiative to create a regional coast guard that addresses regional security challenges. This force would build and maintain capacity for surveillance and enforcement through a combined coast guard system. So far, 13 out of the 20 regional countries have signed a Memorandum of Understanding (MOU).

With regard to east Africa, a number of countries, including Kenya, Saudi Arabia, Yemen, and Egypt, are either already participating in international efforts in the Gulf of Aden or are expressing a desire to do so. At the same time, there are still a number of countries that are not yet involved. In some cases, this is the result of weak infrastructure and limited resources and capacity to invest in maritime security issues.

Building capacity in Africa

Building the capacity of developing country maritime security forces should continue to be a priority for donor countries. Numerous countries are involved in building capacity in key regions. France has maintained a permanent maritime presence in Africa for several decades. More recently, the US Navy has been working with maritime forces and stakeholders in the Gulf of Guinea to build capacity through its Africa Partnership Station (APS) initiative. Both the US and France seek to partner with African states in trying to develop an "African solution to African problems", focusing on capacity building, training and multifaceted support. The IMO has also carried out initiatives to promote more coordinated approaches to maritime security challenges in Africa, such as a July 2008 seminar for the development of an integrated coast guard network in West Africa.

Establishing maritime security capabilities in Africa will not happen overnight. Some estimates are that it will take 20 years or more for African nations to reach the necessary level of maritime security capabilities to handle the extent of the challenges and threats in their maritime domain. Many African countries need a maritime force that focuses on law enforcement; they do not need high-end, blue water navies. This is an important consideration to take into account when working with African partners; donor countries must be capable of providing the assets and helping to develop the skill sets that are adapted to African maritime security threats.

The challenge of piracy off the coast of Somalia

The situation in Somalia and the phenomenon of piracy illustrates many of the problems that exist in failed states: weak governments, limited resources, political upheaval, and profound social problems. Piracy in Somalia is an extension of problems on land. The domestic laws and supporting governmental infrastructure and capacity that would allow Somalia to respond to this problem do not exist. Additionally, there is much speculation that political leaders in Somalia benefit from the piracy. There is little hope that Somalia will come into compliance with international laws in the near term.

There have been several recent notable developments with regard to the incidents of piracy off the coast of Somalia. First, the success of pirate attacks on the World Food Program's vessels surprised many maritime stakeholders. The fact that the attacks has led to escorting of these ships is arguably an indication of the pirates' success. Second, there has been a significant spike in the number of attacks on global shipping (in early 2009 there were 11 ships being held). Finally, piracy is a crime which needs to be prosecuted as such. Proper prosecution is critical in preventing the spread of these activities to other parts of the world.

Indeed, the focus on piracy off the coast of Somalia should not obscure the serious problem with piracy and armed robbery at sea that also takes place on a nearly daily basis on the other side of

Africa, in the Gulf of Guinea. A recent attack in Nigeria, when armed thieves boarded a vessel, resulted in the death of one person. In West Africa, this activity seems largely connected to energy resources. The piracy problem is expected to spread to other parts of the world; many agree that the Mediterranean region may see the next occurrences of piracy.

Responses to the piracy problem

There is wide international consensus that piracy is a serious threat to global commerce. Failure to confront the piracy problem could mean that pirates acquire more sophisticated weaponry as their revenue stream increases. As they grow more sophisticated, they become increasingly capable of creating major disruptions in the flow of international commerce. While all agree piracy is a threat, the real challenge lies in determining what to do about it. In addition to being a relatively new problem, it is a complex issue involving a multitude of actors and entities, each with their own set of interests. Despite these challenges, there have been a number of responses and ideas for how to deal with piracy off the coast of Somalia.

▪ **Arming commercials vessels:** There is a lively debate on the use of armed guards on commercial vessels. Experts across the spectrum of maritime stakeholders agree that the use of armed guards is not an appropriate solution to the piracy problem. To begin with, the IMO has stated that it does not condone the use of armed security on commercial ships. Energy stakeholders also do not encourage armed security details on ships, particularly oil tankers, because were a situation to escalate, it could lead to a major environmental crisis. From an insurance perspective, the notion that having armed guards aboard a ship will reduce insurance rates is false. There is no surety that armed guards will make the ship safer; rather, many in the insurance industry believe that they actually create more risks. Lawyers argue that introducing armed guards on commercial vessels will produce a whole host of legal issues. Finally, in the long term, even if armed detachments did work, it wouldn't solve the piracy *problem* but rather just pass it down to the next vessel. The problem itself would persist unless all vessels carried armed guards. In terms of protecting a vessel from an attack, perhaps the best way to assure a vessel is not boarded is to have the crew trained and prepared to take actions that will keep the pirates from boarding the ship (such as using high-powered hoses).

▪ **Paying the ransom:** Payment of ransoms for hijacked ships and crew is creating frustration among those who seek a long-term solution to the piracy problem. From a government and military perspective, the paying of ransoms empowers the pirates. Not only have they obtained the financial means to purchase more effective weaponry, but it also sends a very strong signal globally to other criminal actors that piracy is a lucrative business. Finally, the vast majority of shipping companies are small rather than large ones. Vessels owned by smaller, privately owned companies are also being seized but these companies do not have the resources to pay ransoms. From the shipping companies' perspective, the ransom issue is a very complicated problem because in addition to protecting their cargo, they also have to worry about their employees' safety. Not paying ransoms risks long-term captivity for or harm to the crew.

▪ **Creating an International Criminal Court (ICC) for Piracy:** Although the idea of an ICC for pirates has been floated, it has not received much support in the international community. First, while piracy can disrupt global trade, it is not comparable to genocide or war crimes and so does not prompt the same support for international prosecution. Second, creating such a tribunal

would be a lengthy, expensive, and complicated process that ultimately might not even meet the needs of combating piracy.

- **Military Response:** Militaries have played an important role in efforts to stop piracy in the Gulf of Aden. In mid-January 2009, Combined Task Force 151, with more than 20 nations, was established to deal with the piracy problem in the Gulf of Aden. UNCLOS and SUA already permitted navies to capture pirates in international waters, and in the summer of 2008 the UN passed UNSCR 1816, which allows military intervention within Somali territory in order to stop piracy. UNSCR 1816 also created the legal framework for Operation Atlanta, an EU operation to fight piracy off the coast of Somalia. Multiple nations, including France, Great Britain, and Spain, participate in the operation. Overall, the UN passed five separate resolutions during 2008 on the piracy problem off of the coast of Somalia, and also formed an international contact group for piracy off the coast of Somalia.

Military escorts for commercial and humanitarian vessels might seem to be a more effective way of protecting vessels than patrols, which need massive amounts of resources to cover vast maritime territories. The downside, however, is that with the immense volume of commercial shipping it is not likely to prove feasible to group ships into convoys due to the impact on delivery schedules and other potential costs to the shipping companies.

One of the most challenging aspects of counter-piracy efforts is what to do with the pirates once they have been captured. Ideally, a legal mandate would exist to arrest and prosecute them in their own countries. Again, in the Somali case, this is not an option given the absence of a central government. Western countries have been reluctant to arrest captured pirates because of evidentiary difficulties in taking cases to prosecution, and there have been concerns as well over pirates' attempting to claim asylum. Recently, the United States and the UK have signed MOUs with the government of Kenya, which has agreed to prosecute Somali pirates. However, Nairobi's cooperation provides only a very limited solution because Kenya does not have the judicial infrastructure, capacity, or resources to try and imprison high numbers of captured pirates. Consequently, there have been cases where international naval forces have captured Somali pirates only subsequently to release them.

Drawing Lessons from Existing Multinational Coordination for Maritime Security

JIATF-S and MAOC-N

There are already several existing multinational efforts to address maritime security in addition to the aforementioned ones on counter-piracy. The Joint Interagency Task Force South (JIATF-S) is a coordinated, multinational organisation that conducts operations to counter illicit trafficking and serves as an intelligence fusion and multi-sensor centre to detect, monitor, and hand off suspected illicit trafficking targets in the Caribbean. While JIATF-S continues to evolve, it is often cited as being a success in its role as a coordinated, multinational entity taking on security challenges that affect entire regions.

Created in 2007, the Maritime Analysis and Operation Centre-Narcotics (MAOC-N), located in Lisbon, is another example of an international coordinated security effort. MAOC, a

multinational, coordinated organisation, includes seven countries: Great Britain, France, Spain, Portugal, Ireland, Italy, and the Netherlands. The primary mission of the organisation is to interdict vessels carrying narcotics into Europe from across the Atlantic. The idea of the organisation is to create effective information sharing among the nations involved. West African countries have also participated recently. Since its inception, MAOC has coordinated over 70 interdictions. Part of the organisation's success can be attributed to the unity of effort approach in which there are established common aims and objectives among all involved. This has been difficult at times, specifically because of:

- The different legal constraints of each country; sometimes national standard operating procedures (SOPs) work against the multinational approach
- Individual national priorities and targets hurting multilateral efforts by causing competition between participating countries
- A tendency for security over-classification
- Language barriers
- The reluctance of national institutions to give up responsibilities now taken over by MAOC
- An attitude of "need to know" over "need to show" with regard to information sharing
- Cultural differences among those involved that participants must learn to respect

Over time, some of these challenges have been solved as trust has grown. The key to success is cultivating an attitude amongst participating countries of collective "pride of accomplishment" over one of national "pride of ownership". MAOC has also been a "bottom-up" approach with the seven countries involved coming together on their own accord (and now additional countries are participating).

Arabian Gulf

The United States' experience promoting maritime security in the Arabian Gulf also offers insights into building coordinated maritime security efforts. The overall approach to these efforts has been a "come as you want" policy for regional partners. Over the past eight years, who has participated, why, and how has evolved in a positive direction. While there are a myriad of lessons learned from this experiment, one key takeaway has been that in order to promote an effective regional approach to maritime security challenges, it is important to frame the challenge in such a way that regional partners are able to agree on the threat. For example, in the Arabian Gulf, protecting maritime infrastructure is an objective on which almost all governments eventually agreed; it is noncontroversial and, from an economic standpoint, protecting offshore assets such as oil platforms is of obvious benefit for these countries. However, it took time to reach a point where effective operations could take place as partners worked through various issues. In this case, once the threat was agreed upon, there were difference of opinion over what the appropriate response would be. For example, maritime infrastructure protection for the United States is a military task, but for the Gulf countries, it is a law enforcement activity.

Proliferation Security Initiative

Finally, the Proliferation Security Initiative (PSI) is often referenced as a successful multinational security effort with a maritime component. In brief, PSI uses interdiction activities to prevent the proliferation and transfer of WMD. Since it began in 2003, many countries have expressed an interest in PSI, and the programme is generally considered a success. Unlike JIATF, MAOC, however, it is important to keep in mind that PSI is not a formal organisation; it is an activity. While there may be lessons to be drawn from the international community's experience with PSI, there are also limitations.

IV. Conclusions and Policy Recommendations

How the international community continues to respond to the piracy challenge in East Africa may provide indications about how it will address future challenges. There are serious concerns about whether there is a system in place to meet these challenges. For example, are appropriate international and legal frameworks in place? Is the UN capable of helping to lead effective responses to global maritime security concerns? What is the appropriate and realistic role for less wealthy, regional nations? Fortunately, for the time being, almost all nations agree that piracy is a significant problem. Will countries be able to forge meaningful responses to future maritime security challenges that do not have the same saliency or on which there is no international consensus regarding the nature of the threat? With these and other important questions in mind, stated below are a number of conclusions and implications for maritime security stakeholders to consider.

▪ **Although it is creating difficult challenges in the short term, the piracy problem may actually present opportunities in the longer term.** First, piracy in the Gulf of Aden is making the broader issue of maritime security a much higher priority issue for many policy makers. This is a positive development for those in the maritime security field who have been warning of these issues for some time. Second, the multinational approach to this problem may present an opportunity to increase and to enhance international cooperation in general on maritime security issues, not only between allies and existing partners. In an interesting development, the piracy response is opening doors to include "non-traditional" partners, such as China, India, and Russia, which have all sent naval forces to help patrol the Gulf of Aden and Indian Ocean. From a political perspective for these non-traditional partners, piracy is not a contentions issue; few countries disagree that it presents a severe threat to global trade and commerce.

In the Gulf of Aden, a grassroots regional solution may be more easily attained and effective than one that is "delivered" from outside the region. The approach to the piracy problem in the Malacca Straights is heralded in the international community as a major, successful, regionally devised solution to a maritime security challenge. While the Malacca Straights piracy problem differed in some important respects from that off the east coast of Africa (such as the fact that piracy incidents in Malacca took place in territorial rather than international waters), one of the primary reasons for success was that there was an indigenous solution to the problem. As opposed to outside actors' attempting to impose or deliver solutions for regional countries, those countries claimed ownership of the response. The type of cooperation between coalition partners that has taken place over the last eight years in the Persian Gulf serves as another good example

of regional countries tackling a problem and forging a response as they approach it together. Part of this success is a result of regional governments agreeing that these operations are worthwhile. The situations in the Malacca Straits and in the Arabian Gulf suggest that a country or a region cannot be forced to perceive the problem—and by extension the appropriate response—the same way as outsiders do.

Helping to build the capacity of regional countries to meet their maritime security requirements should be a major priority for the international maritime community. Since regional solutions are likely to be more effective and sustainable than ones provided by external stakeholders, providing regional countries with more and better coordinated assistance to build their capacity for maritime security operations would constitute a very important step forward. This conclusion is even more valid as there is cause to be concerned that the global financial crisis will have a severely negative effect on maritime security. It is likely that resources for enhancing maritime security will become even more limited as governments shift their priorities to more pressing domestic needs resulting from the crisis. This could be particularly true of developing countries located in regions where enhancing maritime security is needed, even though greater maritime security capacity could produce significant economic, development, and security gains for these countries.

▪ **Listen to what the "customer" is saying with regard to building maritime capacity.** National ownership is an essential part of any strategy for helping regional countries to develop their maritime security capacity. The international maritime community must work in close partnership with regional countries and organisations to determine priorities for equipment acquisition, technology, and training. Today, Africans are saying in clear terms that fisheries, environmental protection, human trafficking, and narco-trafficking are primary maritime security concerns. These are the issues that Africans believe pose the greatest threat to the continent's long-term stability, and should provide the focus of international assistance. This assistance from the IMO, EU, NATO, and individual nations needs to be complementary and synergistic; intense staff-level coordination is needed between donors and with recipient countries.

To meet the need for effective maritime situational awareness, a culture of information sharing must be advanced among all maritime stakeholders. Amongst nation states, information and intelligence sharing are critical to safeguarding international waters. At times, this will mean that nations will have to subordinate national priorities and ways of doing things in support of a common approach. Governments and international organisations will have to resist the universal urge to want to be seen as the lead on the overall effort (or at least a particular aspect) so that they can claim credit. A similar shift must also take place within governments, particularly amongst the various maritime agencies. Ideally, information sharing will extend to include other entities such as those in the private sector and in nongovernmental organisations. While there has been improvement in communication, commercial and government entities must work together to understand better each others' priorities and equities. Today, industry is still not present enough at the table. Insurance companies, shipping, and energy companies need to be part of the effort. Effective information sharing is the key to better maritime situational awareness, which is the greatest "force multiplier" in meeting maritime security challenges.

▪ **Efforts to enhance maritime situational awareness should be as inclusive as possible.** Leading donor countries and organisations should build the next generation of maritime surveillance systems to be more interoperable at "basic level", and better define the

scope of sharable information in an open architecture, taking into account commercial sensitivities. They should explore how to interlink current maritime surveillance networks.

▪ **Military approaches alone will not solve challenges to global maritime security.** While there is certainly an important role for naval forces in enhancing and improving maritime security, military means alone will not solve maritime security challenges. Rather, there must be a collective and coordinated effort that cuts across multiple sectors and transcends international boundaries. In addition to international and regional maritime organisations, the range of government departments and agencies with a stake in maritime security issues is considerable, including foreign affairs, defence, transport, navies, coast guards, interior/homeland security, customs, justice, development, trade, finance. The international maritime community must accept this pluralism of international organisations and national initiatives as a fact of life, and work hard at achieving synergy and complementarity. Ultimate elimination of the threat of Somali piracy will require a comprehensive approach that provides avenues for solving the difficult land-based political, economic, and social problems there.

▪ **A new generation of low cost naval platforms may be required to complement high-end capabilities.** While it is important that leading naval powers continue to build platforms appropriate for expeditionary activities and fighting major wars, naval forces must enhance their ability to respond to the needs of maritime security and constabulary operations. To do this, they require a new generation of small, fast, and cheap vessels. If trends continue at their current direction and pace, navies around the world will need many of them.