Some Fundamentals of Regional Maritime Security Governance

Presentation by Professor Christian Bueger (Cardiff University & SafeSeas) at High Level Workshop on the Implementation of the Djibouti Code of Conduct, Jeddah, Saudi Arabia, 7th May 2018

In this presentation I will draw on some recent insights from Safe Seas. For those of you unfamiliar with SafeSeas, it is an initiative comprising a dozen African and European universities led by Cardiff University, the University of Copenhagen and the University of Bristol. The goal of SafeSeas is to support maritime security governance and capacity building through solid evidence, analysis and the identification of best practices. Most recently we have developed a best practice toolkit for maritime security. The toolkit identifies best practices that have worked in the past and that promise to improve governance and capacity building. A large proportion of these guidelines deal with the interaction between donors and receiving countries.

This brings me to the topic of today's talk: the fundamentals of regional maritime security cooperation. What facts, evidence and observations do we need to keep in mind over the next few days? Why do we need an enhanced Djibouti Code of Conduct and what are the challenges when implementing the 2017 Jeddah Amendments (DCoC+), from a regional perspective?

SafeSeas has started to focus on regional maritime security governance in particular, and I would like to share some insights of a study that is forthcoming, if we can secure the required sponsors.

A Guiding Vision: Maritime Security Community

To know where we are and what the current situation is, it is useful to begin with a goal or vision of where we want to go. A useful vision is that of a **regional maritime security community.** This is characterized by:

> 1) States in a region not perceiving each other as a threat.
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> 2) States sharing a common understanding of what the regional maritime threats and priorities are.
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> 3) Actors developing a common repertoire of how to address the challenges together. This may include laws and operating procedures, shared infrastructures such as centres or databases, but also pooled assets and operations. It also involves building a strong interest in supporting each other.

As is clear from these characteristics, when we consider the Western Indian Ocean region, the Djibouti Code of Conduct has been essential in moving towards goals 2 and 3. I leave it open to your interpretation whether we are also moving closer to goal 1.

Institutional Overlap: A Major Problem

Maritime security is complex. There are many actors involved, and this is part of the first challenge when establishing a regional maritime security community. This concerns **regional complexity in terms of initiatives and projects.**

Recent events provide a good example. During the past two weeks, we had a meeting of the Indian Ocean Naval Symposium in Iran, a high level ministerial conference on maritime security of the ESA-IO states funded by the European Union in Mauritius, a meeting of the Southern Route Partnership sponsored by the UNODC, a strategy meeting of the Contact Group on Piracy off the Coast of Somalia in Mauritius and a preparatory workshop on the DCoC+ in Djibouti funded by Japan. A week earlier we had the Shared Awareness and Deconfliction Meeting in Bahrain.

These were six meetings taking place almost simultaneously, each with maritime security as its core concern. While they differed in emphasis and participants, there was substantial overlap. For instance, the topic of information sharing was discussed in Djibouti, Mauritius and Tehran.

These are six institutions. There are more. As part of SafeSeas we have conducted an initial survey of maritime security institutions. The survey revealed an impressive number of **no less than 26.** And these are just the major initiatives across the maritime security spectrum in the Western Indian Ocean. Now, to some degree this is good news: it shows that maritime security in the Western Indian Ocean is taken seriously.

But it is also bad news:

- There is a high risk of duplication and overlap.
- It induces high cooperation costs for meetings and travel.
- It binds human resources that are then not available to perform maritime security tasks.
- It might lead to the problem that the right experts and representatives are unable to attend.
- It might create the false impression that something is happening, when many of these meetings often only produce declarations not actions.
- There is also a risk that it leads to strong competition over donor resources.

Coping with Regional Complexity

Now, to some degree this situation is unavoidable: there will always be some overlap and duplication. This is firstly due to the geopolitics of maritime security. Maritime security does not take place in a vacuum; donors pursue interests and have preferences for certain systems and structures.

It is secondly due to contested regionalism. It is often unclear what the right region is – the right constellation of states – to address maritime security. Is Africa the right region? Is it the Western Indian Ocean? Is it the unique actor constellation that the DCoC+ brings together? Is the right reference region the Indian Ocean, or the Indo-Pacific, or should it be understood in the light of globalization as a global task in the first instance?

It is also a question of whether particular issues like fishery crime, narcotics or piracy should be dealt with through a specialized arrangement, such as the Contact Group on Piracy off the Coast of

Somalia or the Southern Route Partnership, or whether it is more useful to have cross-cutting arrangements, such as the DCoC+.

There are no clear-cut answers to these questions. Maritime security requires experimentation. Yet there are some principles that we do know. Most importantly, to dream of one centre, the one organisation that could control and bring everything together, is not only utopian, but potentially harmful. **Perfect coordination is a fantasy**. Instead we need to think about how to **connect the dots**, ensuring that there are strong relations between institutions and projects.

We need to avoid the worst cases of duplication, such as three projects developing standard operating procedures for information sharing. We need to **ensure lessons are learned and best practices are transferred**. If something has worked or indeed, terribly failed in one context or organisation, other relevant organisations should know. If a certain sort of legal training is exceptionally good, or certain governance structures are very promising, then others should know about it.

In building a maritime security community, **transparency and communication are key.** We need to ensure that experiences are recorded and shared, and that the same mistakes are not endlessly repeated. It is precisely the DCoC+ that can set the right standards here. When we talk about information sharing it is not only about maritime situational awareness, but also best practices and promising practices, as well as bad experiences.

Best Practices

Let me now outline some of the considerations and promising practices we identified at SafeSeas. Firstly, there needs to be the **right balance between formal and informal practices**. It is not helpful when everything is prescribed by law and administrative procedures, but if there's no legal or political legitimacy and certainty, this is also unproductive. For instance, an employee needs to know that he will not be fired for sharing a piece of information, but if information sharing is too bureaucratic it might work too slowly or end up in certain bottlenecks. Likewise, if regional meetings are only attended by technical specialists, then they will have little authority to commit to new projects and initiatives. If meetings are only attended by diplomats or other generalists, however, there is the risk that the discussion is too generic and nothing ever gets done or operationalised. The right balance between formal and informal, diplomacy and technical cooperation is needed.

Secondly, we need to pay attention to the principle of subsidiarity, that is, **we need to continuously ask at which level a problem is best addressed. Is it at the local, national or regional level?** One clear lesson from the past few years is that the focus cannot be exclusively on the regional level, since without the national level little gets done. How can you share information if states have nothing to share? Equally, we have to ask when initiatives are more successful if done on the local or community levels, and if they are more successful when not implemented by the state, but by other organisations instead.

Thirdly, and to get more specific and technical: one of the measures on a national level that is vital, yet doesn't receive enough attention and care, is the establishment of Single Points of Contact (SPOCs). **States need to speak with one voice** within the different institutions. They need to be well

represented at regional events. And they need to ensure that everything that happens at regional and international fora is fed back to the highest levels of government. It is therefore crucial to identify the right point of contact that has both diplomatic and technical skills, as well as the ear of their government. Finding the right point of contact is not necessarily easy, as it will imply that one agency or even one person takes the lead, but it is essential nonetheless. Ensuring that all stakeholders are informed who the SPOC is and what the relevant contact details are is vital. Ideally, this information would be publicly available. Allow me to add a technical detail: private email address, from yahoo and gmail for example, should be avoided, since they imply a high risk that information is lost. Countries should instead use functional email addresses.

Fourthly, a major problem in the past has been **bad donor management.** There is a risk that donors and external capacity builders design their own projects and then impose them on regional countries without paying enough attention to what is already in place or what the country or region's actual priorities and needs are. This risk can only be mitigated **through committees, appropriate strategies and investment plans in which countries outline their vision and investment strategy**. Committees also need to decide whether and how to engage with external assistance, and feed their interest into regional processes. This is where regional coordination must begin.

Finally, another area that is largely overlooked is the need to better **facilitate dialogue and learning across regions.** Attention to detail is key here. Southeast Asia is often taken as a role model for how to organize regional maritime security governance, particularly through RecAAP and the IFC or the Enhanced ASEAN Maritime Forum. Yet, since I'm currently based in Singapore I can tell you that not everything is going that well in this region, and there are lots of problems from which we can learn. We also need to peer into other regions. That includes the Pacific, for example, where quite an astonishing fishery control regime has been established.

Conclusion

To realise the vision of a regional maritime security community, what happens in the framework of the DCoC+ is vital. We have to recognise that the DcoC+ is only one of the pieces in a larger regional puzzle, but it can play an essential role in connecting the dots. Over the next few days we will discuss how to connect the dots, share experiences and best and promising practices in the region, and strengthen the regional response to maritime insecurities in the Western Indian Ocean. In the end, what truly matters is not what happens in this room, but rather what happens on the shores, ports and waters.

Further Information

Safeseas. 2018. Mastering maritime security. Reflexive Capacity Building and the Western Indian Ocean Experience. A Best Practice Toolkit. Available at http://www.safeseas.net
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