



Maritime Security: New Perspectives of a Familiar Subject – The Role of Navies, Coast Guards and NGOs in Today's Maritime Domain

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June 2016

Abstract

There are constant and variable parameters in today's maritime domain. Maritime security is a permanent and dynamic task. The challenge is to combine strategic, technological and organizational innovations. For a better understanding of this domain, we should consider four different aspects: Habitat, resources, sea-borne transport and power projection. Maritime security and defence operations are covering the whole spectrum of tasks, from humanitarian assistance to war-fighting. A civilian-military cooperation is urgent. Information sharing is a precondition of maritime surveillance and a key for success of all operations. NGO's must be acknowledged as new maritime stakeholders. A Combined Maritime Force is an appropriate answer to almost all security challenges.

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Analysis

Artificial islands are challenging maritime nations with a new and unknown situation. Examples have been established in the South China Sea and the implications have many aspects, two most important have legal and strategic characteristics.

We have almost forgotten that artificial islands are not new phenomena and that many nations are responsible for such islands. Mostly they are located inside territorial waters where their purpose is to host maritime infrastructure such as the Gulf oil terminals. Today global changes have created new challenges, risks and indeed threats to maritime security. Although we are focused on the regional situation in South China Sea, we know it would be a crucial mistake to look at the situation from a purely regional perspective.

It is the intention of this brief paper to draw attention to some more traditional as well as some newer perspectives of the maritime domain, which will continue to have or to gain more awareness in future.

A key consideration is to establish what are the constant and variable factors?

In principle we can understand maritime security as either a condition or as an enduring task. As a condition, action is required if the status quo is challenged or threatened. As an enduring task, presence and a well-balanced mix between quality and quantity in capabilities has to be maintained. So a maritime security policy can be to be reactive or pro-active.

The choice between these options has an impact on research and technology, on training and education and, not least, on how all the various maritime services cooperate with each other

The ultimate challenge is to combine initiatives and innovation at the strategic, technological and organisational levels. One way to help understand the complexity of today's maritime domain is to divide it into four dimensions:

Considering the maritime domain as...

A Habitat

- What are the consequences of global climate change? The development of artificial islands to advance a claim for extending sovereignty is an indirect consequence of climate change. Are they otherwise in danger of disappearing as a consequence of rising sea- levels?
- Almost 80% of the world` s population lives within 100 km of the coast,

A Resource

- What is the impact of over-fishing and exploiting mineral and energy resources?
- What kind of balance between economic and environmental interests is required to reach a regional consensus? What is the role of the growing responsibility of the International Seabed Authority in this context? Are artificial islands introducing a new dimension into UNCLOS?

A Highway (transport)

- What are the consequences of insecure global sea-lanes?
- What about the prospect of attacks on the global seabed cable network?



A Domain for Power Projection

- How is good governance at sea to be achieved?
- What are the Global and Regional Maritime Strategies?
- What existing and future capabilities are needed?
- What are (or should be) the consequences of violating UNCLOS?
- Who has the authority, the political will and the means to enforce the Law of the Sea?
- Do we need to consider a new maritime force, which is focused on civilian-military security operations?
- Is there a role for NGOs in this context?

Having considered these dimensions, it is then necessary to define the role of a navy, independently of the region, from a joint and/or combined force perspective and also establish whether operations are purely military or a civilian-military.

- **Maritime Deterrence and Defence** – deterring by demonstrating decisive maritime presence based on operational readiness and capability; protecting and defending national sovereignty and integrity, as well as the United Nations Convention of the Law of the Sea and its ambition to ensure good governance at sea. Chapter VII states: “Actions with respect to threats to the peace, breaches of the peace and acts of aggression”. Articles 39 to 51 provide the necessary justification. This is and will remain a naval responsibility, but potentially supported by other maritime services.
- **Crisis Response** – participating in specific operations ranging from peacekeeping, peace enforcement and conflict prevention to humanitarian assistance, disaster relief and non-combatant evacuation. Improving operations by exercising civilian-military cooperation. Coordinating and cooperating with NGOs when appropriate.
- **Naval Diplomacy** – providing a visible symbol of national, international commitment and support to political objectives as in conflict prevention and stabilization. This can be achieved by port visits and joint exercises or even by the mere presence of a warship (i.e. a show of force).
- **Maritime Capacity Building**
Maritime Capacity Building measures can be seen either as a subordinate mission of Maritime Diplomacy or as a task in its own right. Current examples are demonstrating the growing importance and success of such activity conducted by coast guards, navies, maritime services and NGOs in particular

Specific roles cover the whole spectrum from low intensity to war-fighting tasks, so an interim conclusion must be that we need a broad mix of maritime and joint capabilities to be prepared for a rapid shift from a low intensity capability to a high-end capability. The question must therefore be posed: what kind of capabilities are needed? This is a crucial policy and strategic level decision.

A more recent consideration for all maritime security contributors is the option to act in support of another service or to be supported by them. Non Combat Evacuation Operations are an example. These involve among other aspects: providing security, life support for evacuees and evacuator, understanding the legal implications and working with the media. It will also look at relationships and co-ordination with embassies, host



nation governments, other government departments, Non-Governmental Organisations (NGOs) and other nations engaged in a concurrent NEO of their own entitled nationals.

Areas of actions: examples for Maritime Security Operations

Nations differ in how they protect their national strategic maritime security interests. In some countries these tasks are the responsibility of civilian surveillance and law enforcement authorities such as coast guards; in others navies have this responsibility. Therefore enhancing civil-military cooperation is essential regardless of their internal national organisation. A Maritime Security Operations (MSO) Concept is necessary to provide options for how maritime forces can contribute to achieve, enhance and execute maritime security in a comprehensive inter-governmental approach. In essence it establishes specific tasks aimed at deterring, preventing and countering unlawful activities. From the MSO derive the different missions, activities and operations:

- **Surveillance of the Global and Regional Maritime Domain.**
Acquiring and sharing surveillance information with other military and civilian agencies and relevant actors in order to improve situational awareness of the global maritime domain and ensuring early warning. Information sharing is a fundamental task which is a vital enabler for all maritime forces' roles and tasks, and it is a key factor for success in operations in support of maritime security.
- **Maritime Protection.**
Protecting sea lines of communication, choke points, merchant traffic, fishing industry, maritime critical infrastructure for energy, transport, research and strategic communications sites and ports by conducting maritime operations such as: counter piracy, mine counter-measures, special operations and support to law enforcement activities combating illegal migration, trafficking and organised crime.
- **Maritime Interdiction / Control**
Conducting specific operations such as ensuring sea control and / or sea denial within a given area, boarding and inspection of suspicious ships and imposing maritime embargos as required.
- **Maritime Counter-Terrorism and Counter-Proliferation of Weapons of Mass Destruction**
Preventing, deterring, detecting and disrupting terrorist activities and counter-proliferation of WMD, including CBRN, and protecting citizens and their interests against criminal activities at sea by means of specific capabilities and through close collaboration with the international community. In addition, maritime forces, civilian and military, may be required to perform operations such as:
 - **Maritime Presence**
Conducting maritime diplomacy; demonstrating the political will to support all activities enforcing the freedom of navigation on the high seas which enables early deployment and forward presence.
 - **Maritime Capacity Building**
Contributing to and supporting the strengthening of the maritime safety and security capacity of a fragile state through the provision of advice and training across a wide spectrum of maritime activities of which training and education are the key elements.



- **Law Enforcement**

Conducting operations under constabulary authority in international waters, regulated by a regional or national legal regime – such as the Contiguous Zone (CZ) or the Exclusive Economic Zone (EEZ) – as well as on the high seas beyond those zones, in respect of foreign merchant vessels or vessels without nationality, which are suspected of being involved in illegal activities.

Today's focus is on South China Sea and the challenges emanating from the deteriorating situation in this region.

A brief look into China's maritime ambitions and aspirations could help to understand and to reflect on appropriate and successful responses to the growing tensions.

The publication of the "Unrestricted Warfare" strategy in China in 1999 changed the Chinese Military outlook. How did it influence the rise of PLA Navy and what is the link between the rebirth of China's "blue water" navy ambitions and the concept?

In 1982, Deng Xiaoping implemented an important shift in strategy. Until then it had been the classical Mahanian view of sea power that guided the early years of Chinese Navy's rebirth. The strategy was founded on the principles of a strong commercial fleet with a Navy capable of securing its trade routes. The end of the 1990s saw another crucial shift in Chinese strategic thinking, marking the beginning of the new millennium. In response to the country's burgeoning economic development there was a need to adapt the PLA Navy's focus on coastal and brown water to the high seas or blue water. Intellectually, this shift can be traced back to the growing influence of Corbett rather than Mahan in China's strategic naval thinking.

Since 2000, China's strategic thinkers have successfully linked this new approach with the country's traditional strategies. This intellectual step forward was achieved by taking into account new technologies on the one hand and the concept of "Unrestricted Warfare" on the other. Therefore we should ask: What are the roles and tasks of the PLA Navy in relation to this strategy? We do not know the whole answer, but we have witnessed the fact of redefining naval forces into maritime forces, which are able to perform an escalating role while staying just short of adopting a fighting mode.

Conclusions

The new trends and developments include:

- The increasing demand for comprehensive approaches and inter-agency interaction.
- Smooth integration between civilian and military capabilities.
- Defense and security operations: developing a high-low capabilities mix.

There is an increasing need to:

- Change mindsets in order to adapt a more transparent attitude in information sharing: Move from "need to know" to "need to share" and then to "responsibility to share".
- The need to assess new concepts and modes of war fighting (e.g. cyber warfare, hybrid warfare, air-sea/joint campaign, sea basing, anti-access/are denial).



- Coming to terms with the impact of new – commercial and military – technology in maritime security (e.g. use of unmanned systems in all domains).
- Do we consider sea-borne activity by non-state actors as maritime operations?
- How do we engage with non-state navies such as the Sea Shepherd Conservation Society or Mercy Ships?
- How do we deal with maritime border disputes?
- Do they require both low and high-end capabilities?
- Is there a need for new inter-agency approaches?

An option to answer at least some of the questions could be a Combined Maritime Force, a CMF.

The unique characteristic of the CMF is that participation is purely voluntary. No nation is asked to carry out any duty that it is unwilling to conduct. The contribution by each country varies depending on its ability to contribute assets and the availability of those assets at any given time. The nations that comprise a CMF are not bound by either a political or military mandate, which makes the CMF a very flexible organization. Contributions can vary from the provision of a liaison officer at CMF HQ, wherever it might be located, to the supply of warships or support vessels in task forces to maritime reconnaissance aircraft based on land. The CMF can also call on warships not explicitly assigned to the coalition to give associated support, which is assistance they can offer if they have the availability and capacity to do so whilst undertaking national tasking.

Coalitions are founded on the principle that forces will never be asked to do anything that their governments are unwilling to have them do. As such, the legal basis for CMF operations is based on the United Nations Convention on the Laws of the Sea and the authority of United Nations Security Council Resolutions. In this way, each warship in the coalition has to abide by its own domestic law. There are no coalition Rules of Engagement but a “Set of Permissions” to which all countries agree. While there are national mandates that limit the participation of some of coalition partners, the CMF remains a cooperative, multi-national effort, a true coalition of the willing.

The formation of such a CMF with a rotating leadership between the contributing nations would be a most impressive answer of solidarity, political will and naval and maritime capabilities in the South China Sea and beyond.

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

This paper was presented on the occasion of the VI. Joint Conference of the Konrad Adenauer Foundation (KAS) and the Sea Lanes of Communication (SLOC) Study Group Korea “The Legal, Economic, and Strategic Implications of China’s Artificial Island-building Projects for the South China Sea and Beyond” on May 17, 2016 in Seoul, South Korea.



About the Author of this Issue

Vice Admiral (rtd) Feldt served in the German Navy for 41 years and retired in 2006 as Chief of the German Naval Staff in Bonn and Berlin. He was engaged in sea duty assignments for 13 years, which included leadership functions on all command levels and duty assignments in different naval staffs, national and in NATO.

Since retirement, he has occupied several posts of honor. Vice Admiral Feldt 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 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 Feldt, in his function as a Director of the Wise Pens International, is working on studies dealing with future maritime safety, security and defence, for example "On the Future of 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". Since November 2013 Vice Admiral Feldt has been President of EuroDefense Deutschland e.V.



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