

Co-Chairs' Summary Report

The Second ASEAN Regional Forum Inter-Sessional Meeting on Maritime Security

Auckland, NZ, 29-30 March 2010

Introduction

1. Pursuant to the decision of the 16th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Phuket on 23 July 2009, the second meeting of the ARF Inter-Sessional Meeting on Maritime Security (ARF ISM MS) was held in Auckland, NZ on 29-30 March 2010. The Meeting was co-chaired by Tony Browne from NZ, Ambassador T.M. Hamzah Thayeb from Indonesia, and Mr Michio Harada from Japan.
2. The Meeting was attended by representatives from all ARF participating countries and the ARF Unit from the ASEAN Secretariat; the Democratic People's Republic of Korea was not present. The List of Delegates and Speakers appears as **ANNEX 1**.

Agenda Item 1: Opening Session

3. In opening the meeting Tony Browne, the New Zealand Co-Chair, reminded the meeting that the ARF Vision Statement, in calling for a more action orientated mechanism, specifically mentioned maritime security and that this inferred an obligation to deliver tangible outcomes from the ISM. He explained that New Zealand had a vested interest in maritime security, given that 98% of its trade is carried by sea. In light of this, the security of sea lines of communication was vital. He welcomed the inclusion of private sector speakers, emphasising the need for developing stronger public/private sector partnerships in order to overcome the challenges of maritime security.
4. The Indonesian Co-Chair, H.E. T.M. Hamzah Thayeb, recalled the two significant ARF events regarding maritime security that had taken place thus far: the first ARF ISM on MS in Surabaya in March 2009 and the ARF EU/Indonesia Seminar on Measures to Enhance Maritime Security: Legal and Practical Aspects in November 2009. The first of these had recognised the need for ARF members to enhance cooperation in response to the range of security issues that now affected many countries of the region. The latter had been a platform for enhancing dialogue on maritime security. Referring to one of the conclusions of the 1st ARF ISM on MS, H.E. Thayeb recalled that the concept of maritime security was recognised as a vast and diverse one spanning from conventional to more non-traditional issues.
5. Mr Michio Harada, the Japanese Co-Chair, commented that the common goal of the gathered participants was to improve the maritime security environment.

Agenda Item 2: Adoption of Agenda

6. The meeting considered and adopted the Agenda which appears as **ANNEX 2**.

Agenda Item 3: Building Common Perceptions on Threats and Challenges in Maritime Security

First Sub-topic: Facilitating Commerce: Shipping and Port Security

7. Dr Sam Bateman, Senior Fellow, S. Rajaratnam School of International Studies, delivered a presentation on threats and challenges to maritime security in the Asia Pacific. He used a risk assessment matrix to assess the likelihood of particular threats occurring in the region and their level of impact ranging from negligible through to catastrophic. He suggested that while conflict between major powers in the region was very unlikely, increased naval capabilities had an attendant risk.
8. He advocated greater support for relevant international conventions including the 1979 International Convention on Maritime Search and Rescue (SAR), the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA) and the United Nations Convention on the Law of the Sea (UNCLOS). He commended to the meeting the CSCAP Memorandum No. 13 – CSCAP Guidelines for Maritime Cooperation in Enclosed and Semi-Enclosed Seas and Similar Sea Areas in the Asia Pacific.
9. Major Ji Wanli, Staff Officer of Multilateral Cooperation, Ministry of National Defence, China, delivered a presentation on the lessons learned from international cooperation in the Horn of Africa and the implications for the Asia Pacific region. The Chinese Navy had undertaken escort missions in the Gulf of Aden to protect Chinese ships and crews as well as ships carrying humanitarian relief materials. China has also worked cooperatively with the EU, Combined Maritime Forces (CMF) and NATO against piracy, and proposed the establishment of Areas of Responsibility (AOR) for sharing escort duties in the International Recommended Transit Corridor (IRTC).
10. The European Commission shared lessons learnt from Operation ATALANTA which supported China's experiences in the Gulf of Aden.
11. In response to Dr Bateman's remarks India and China discounted the prospect of conflict between them. China noted that the border between the two countries was controlled via the Line of Control Agreement. China stated that both sides had done their best to maintain stability.
12. Throughout the deliberation of this agenda, several participants have made interventions and comments. Viet Nam said that the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea should be promoted and supported. The Philippines referred to tripartite marine scientific research with China and Viet Nam in the South China Sea.
13. Dr Probal Ghosh, Co-Chair of Council for Security Cooperation in Asia Pacific (CSCAP) Study Group on Naval Enhancement in the Asia Pacific described the work of the Study Group on Naval Enhancement in the Asia Pacific. The Study Group's first meeting was held in Singapore in May 2009, its second meeting took place back-to-back with the Second ARF ISM on Maritime Security.
14. The basis of the Study Group's project is that the role of maritime security forces in the Asia Pacific had undergone a significant change in the last decade or so. Naval forces were entrusted with a pivotal position in maritime security, and were evolving with enhanced capacities, improved capabilities and inventorial assets. A general growth in regional economies had led to a simultaneous rise in defence budgets, and deployment patterns of security forces had been altered extensively. For example, maritime security forces were being used more often to support

15. Australia observed that cooperation undertaken on non-traditional threats enabled countries to work together and get used to sharing information at low threat and classification levels, and was therefore a useful and non-threatening way to build understanding and defuse potentially serious tensions.
16. Christian Dupont of the European Commission reported on the EU/Indonesia maritime security seminar in Brussels, 19-20 November 2009 on Measures to Enhance Maritime Security: Legal and Practical Aspects. He noted that seminar was attended by representatives from 21 ARF member countries, as well as presenters from civil society and other fields (universities, a UN body, a shipping body, and the EU's Operation ATALANTA). He listed the three main topics of the seminar: (1) common understanding on definitions of key maritime security concepts; (2) improving legal regimes and enhancing inter-agency cooperation; and (3) overview of current solutions and best practice sharing.
17. The Indonesian Co-Chair for the EU/Indonesia ARF Seminar, Ambassador TM Hamzah Thayeb, noted that the conclusions of the Seminar were useful for the ARF ISM on Maritime Security to consider and we could increase understanding of these issues through dialogue.
18. The Philippines suggested if another legal framework for the high seas was to be considered it should take account of the differences of distinct situations. The Philippines noted that the situation in the Straits of Malacca was quite different to the Gulf of Aden. The Straits of Malacca was a shared sea that involved three countries that bore the main responsibility for it. Any new legal framework would need to be considered very carefully as it would be undesirable to have a blanket agreement that did not take distinct circumstances into consideration.

Second Sub-topic: Private Sector Perspectives on Maritime Security

19. Mr Arthur Bowring, Managing Director, Hong Kong Ship Owners' Association delivered a presentation on challenges and opportunities for the private sector. He highlighted the responsiveness of shipping to global demand and its special role in traversing numerous jurisdictions. Global legislation had to be ratified and implemented to protect shipping. Mr Bowring urged states to respect the human rights of seafarers. Seafarers were important sources of intelligence and potentially valuable partners for governments. Increased intelligence sharing, including via the internet, would benefit both states and seafarers.
20. Masahiro Akiyama, Chairman Ocean Policy Research Foundation, Japan, delivered a presentation outlining the benefits to Japanese shipping from public/private partnerships to combat the impact of piracy off the Horn of Africa. Advance registration and straight-forward applications for escort, combined with punctual provision of escort services by the Maritime Self-Defense Force and training in manoeuvres, had dramatically reduced ships' vulnerability.
21. Canada enquired about flag states' attitudes to their responsibilities and whether economic modelling had been done on the impact of piracy. Arthur Bowring responded that the commitment of flag states varied: some had little interest in the fate of their ships whereas others, such as China,

22. The United States noted that it was considering placing Sea Marshalls on board US-flagged ships and asked whether this was an option under consideration by others. Masahiro Akiyama noted that cooperation and information sharing was an effective method of protecting vessels: of the 15,000 which had registered since July 2009, only two had been hijacked.
23. Paul Campbell of Customs New Zealand delivered a presentation on trade-related issues for port security and the implementation of international standards. A study by APEC economies of the impact of sustained port closure had emphasised states' vulnerability and the need for a plan to reinvigorate trade in the event of a catastrophe. Shared intelligence and threat assessments were vital to enable businesses to make informed decisions. He said that, while New Zealand benefited from its small size and close policy community, it had also learnt not to consider any topic or information the domain of a particular agency, but to take a whole of government approach: all information was owned by the government. This improved transparency and information flows, contributing to effectiveness.

Agenda Item 4: How the ARF Can Make a Difference

First Sub-topic: People Smuggling: A Regional Response

24. Dr Ben Evans, National Director Law Enforcement Strategy Division, Australian Customs and Border Protection Service used the Australian experience with transnational organised crime in the maritime domain (people smuggling) to highlight the need for a coordinated approach in responding to maritime security issues. He observed that the security environment was becoming increasingly complex and interconnected, with the boundaries between traditional and non-traditional issues becoming increasingly blurred. As a result, a larger number of government agencies now had a stake in security issues and those agencies needed to work together to achieve their goals. In addition, a number of challenges faced now and in the future could not be addressed by one country alone.
25. Transnational organised crime was one such issue. Dr Evans characterised transnational organised crime as flexible, dynamic, innovative, and resilient. These characteristics were significant because they allowed transnational organised crime groups to exploit the various vulnerabilities of states and capitalise on gaps between jurisdictions within those states. Furthermore, organised criminal networks were now increasingly operating across state and national borders, thus transcending the jurisdictional reach of individual agencies and governments. As a result, coordinated whole-of-government responses were needed to establish a domestic environment that would be hostile to transnational organised crime. These responses needed to be complemented by similar coordinated inter-government action.
26. Focusing on maritime people smuggling as an example of transnational organised crime in the maritime domain, Dr Evans highlighted the whole-of-government activity taken by Australia in response. He offered five practical actions that could be taken to help achieve this: overcome inter-jurisdictional differences; operate outside traditional roles (of both the agency and the Government); better coordination; regional assistance; and international liaison. He emphasised that many countries, including Australia, often already followed these steps on a case-by-case basis: for example when specific criminal cases arose relevant agencies cooperated together. What Australia

27. Dr Evans emphasised the importance of working with origin and transit countries to try and direct people into legitimate migration channels and to process refugee claims as well as assisting their law enforcements agencies to address the people smugglers themselves.
28. Indonesia noted its own experience with people smuggling, highlighting that it was often used as a transit state because of its geographic location. Although Indonesia was not a signatory to the 1951 UN Refugee Convention, and therefore had no obligation to accept refugees, it viewed this problem from a humanitarian perspective and did offer assistance. Indonesia also emphasised the value of bilateral mechanisms with sending states and noted that regional approaches which included origin, transit and destination states were of paramount importance in order to enhance cooperation and legal enforcement. Indonesia referred to the joint statement on people smuggling recently concluded by the Indonesian President and Australian Prime Minister and the various types of cooperation that could be undertaken under its auspices.
29. Sri Lanka offered to share its experiences with ARF member countries in using intelligence to capture small boats as well as its experience on countering small pirate boats. Sri Lanka had seen some success in tackling its own piracy problem through the deployment of naval personnel aboard ships.
30. Philippines suggested that there was a need to make a distinction between human trafficking as a transnational crime versus the smuggling of refugees and economic migrants. The distinction was important because each required different responses: the full measure of criminal law for human trafficking, but the application of refugee law and other international laws for people smuggling. Errors would be made if these two distinct patterns of movement were grouped together.
31. The United States welcomed the practical suggestions offered by Dr Evans and shared an example of best practice information-sharing that was working particularly well in the United States. At the local level maritime security working groups were required by law to be held at all west coast ports. These were attended by representatives from port authorities, the shipping industry, and local and federal law enforcement authorities. These area meetings had proved to be valuable fora for sharing the latest intelligence and information regarding developments at the port interface and offshore. The United States suggested that meetings like these could be instituted in any of the ARF countries as an environment for exploring many of the ideas being discussed at this ISM.
32. The Indonesian Co-Chair responded to questions over the absence of an international framework surrounding people smuggling and human trafficking. Recognising that there were gaps, ASEAN had established the Bali Process to look at these issues in the regional context. He further noted that solutions would only be found if countries of origin, transit and destination worked together in a coordinated manner. Frameworks under the International Organisation for Migration and the UNHCR were also an integral part of reaching a solution. He concluded by noting that the regional character of this problem was noteworthy as it meant that it could not be resolved bilaterally.
33. Singapore noted that the Bali Process had met several times and that there were other fora discussing transnational crime within ASEAN. Addressing the suggestion there was an absence of international frameworks, Singapore further noted that an ASEAN Convention on Trafficking in Persons was currently being drafted to address the issues of the region, and that on a global level

Second Sub-topic: Sharing of Information and Intelligence, Promotion of Best Practice and Capacity Building

Consideration of Regional Cooperative Initiatives: A Panel Discussion

34. Dr Sam Bateman introduced a panel discussion continuing the sub-topic of information sharing, intelligence, best practice and capacity building. He suggested a framework for capacity building for maritime security at both national and regional levels. The framework addressed institutional arrangements, legal frameworks and resourcing. He proposed that the framework be used by ARF as a tool to manage capacity building.
35. Ms Joanna Mossop from Victoria University Law School, Wellington, New Zealand, noted that while defining the scope of maritime security could be problematic for a variety of reasons, there was a need for a multi-faceted approach to address maritime security threats. Narrowing the scope of maritime security risked excluding some countries priorities. She identified activities under three themes: information exchange; ratification of international instruments; and implementation of international instruments.
36. Dr Stan Weeks from the Centre for Naval Analyses, United States emphasised that threats to maritime security are an international problem requiring an international solution. Issues could not be addressed on an individual country basis. He proposed that countries should increase maritime domain awareness through enhanced information sharing and cooperation. He outlined a number of tools for maritime information sharing and identified organisations demonstrating best practice. He concluded that a whole of government approach was critical to enhancing existing regional maritime information sharing and coordination initiatives.
37. Dr David Capie from Victoria University, delivered a presentation on combating small arms and light weapons trafficking. The sea routes of the Asia-Pacific region provided the means for the illicit trade of large numbers of weapons. Small arms trade also contributed to armed robbery at sea, terrorism and piracy. Although small arms trafficking was not considered a traditional threat it was associated with traditional security problems such as piracy and insurgency. He identified an opportunity for ARF to address this issue through capacity building, information exchange, and implementing existing instruments.
38. Lieutenant Colonel Lee, Squadron Commander, Singapore Navy, as an example of best practice, delivered a presentation on capacity building in maritime security in the Straits of Malacca and Singapore. The Malacca Straits Coordinated Patrols involved Singapore, Malaysia, Indonesia and Thailand. Since the introduction of the patrols in 2004 there had been a decline in the incidents of piracy on the world's busiest sea trading route. Primary responsibility lay with the littoral states, with contributions by other countries and agencies. He outlined further initiatives which have contributed to capacity building in maritime security, such as the Changi Maritime Security Command and Control (C2) Centre's Information Fusion Centre.
39. Mr Yoshiaki Ito, Executive Director Regional Cooperation Agreement on Anti-Piracy (ReCAAP) Information Sharing Centre delivered a presentation on the agency's initiatives in this area. He

40. India outlined to the meeting its efforts to ensure the security of sea lanes of communication in the region against threats from piracy.
41. Canada commended the Changi C2 Centre and Information Fusion Centre described by Dr Weeks. Canada expressed its willingness to share its expertise as countries sought to establish information sharing initiatives.
42. Indonesia noted that sharing best practice contributed to improving capacity building.
43. Papua New Guinea requested a directory of operational agency contacts. PNG noted that for small countries monitoring illegal activities, such as illegal fishing and small arms trafficking, in an EEZ was difficult. PNG welcomed discussion of these issues as part of the scope of maritime security.
44. The USA suggested that the ARF could add value to existing maritime security mechanisms due to its geographic scope and high level of interagency participation. Interoperability was identified as key. The US proposed that a centre be established – the ARF Transnational Threat Information Sharing Centre (ATTIC) – which ARF states could join on a voluntary basis. This centre could assist the philosophical shift from “need to know” to “need to share”. ATTIC could collaborate with the open-source Maritime Safety and Security Information System (MSSIS) to ensure members had access to full information. The US also proposed to host a meeting on information sharing in the next six months. It invited feedback on its proposals. Singapore welcomed the US ATTIC proposal and supported further work on it.
45. New Zealand tabled a draft outline workplan on maritime security as a basis for further discussion. In doing so, New Zealand stressed the importance of establishing a framework for a sustainable programme of regional cooperative activities on maritime security.
46. Timor Leste said it would be grateful for inclusion in any activities to develop its capability in national security law, defence and external security.
47. Malaysia supported a proposed work plan and would provide an input.
48. Citing Japan’s capacity-building questionnaire and the draft outline work plan on maritime security that had been tabled earlier, New Zealand announced it was offering a new initiative: an English language training programme of 22 weeks duration for up to 32 border and maritime security officials from Cambodia, Lao PDR, Myanmar and Viet Nam. Other possible capacity-building options included a tabletop exercise on information and intelligence sharing; an outreach event for the private sector; and workshops on risk profiling and ratification of the protocols of the SUA Convention. New Zealand expressed interest in identifying partners for such initiatives. Australia supported the suggestion of a table-top exercise on information sharing under the ISM’s auspices and agreed that it would be useful to establish the needs of member countries in order to target capacity building initiatives.
49. Commenting on the draft outline work plan, Viet Nam suggested that priorities two and three should be consolidated into a single priority on transnational crime. The US suggested reducing the number of priority areas in the draft Work Plan from six to two or three to enable solid progress to be made on key issues. The US therefore recommended keeping the first two priorities contained

50. Papua New Guinea suggested that the third proposed priority be expanded to include illegal, unreported and unregulated (IUU) fishing. He explained that illegal fishing was a more complex problem in the South Pacific as it (and other non-commercial activities vessels) was sometimes a cover for arms smuggling. Thailand queried the need to include illegal fishing in the Work Plan, commenting that it was covered by the ASEAN Fisheries Consultative Forum. Canada noted it supported Papua New Guinea's proposal to include IUU fishing in the work plan, due to its own experience with the collapsing of fisheries. Canada added that IUU fishing was a particular problem for small island states with limited resources to enforce fisheries rules and patrol large areas. Canada believed that the problem of IUU fishing would become increasingly serious in the future, potentially eclipsing other problems. For these reasons, it questioned whether the Forum mentioned by Thailand adequately addressed IUU fishing and recommended that the ARF should consider this issue in more depth.

Agenda Item 5 and 6: Co-Chairs' Concluding Observations and Closing Session

51. The Co-Chairs thanked the participants for attending the Meeting in Auckland. They expressed gratitude for the atmosphere of conviviality at the Meeting and the productive manner in which participants had contributed to the discussions, noting that the cooperative manner which had underpinned proceedings had assisted the Co-Chairs in their role.

52. The participants expressed their gratitude to the New Zealand, Japan and Indonesia Co-Chairs for effective co-chairmanship. The participants also thanked New Zealand as the host for the excellent arrangements made for the meeting.

53. The Japanese Co-Chair noted that Japan was giving consideration to hosting the next meeting of the ARF ISM on Maritime Security in February 2011. Timing for that meeting and further arrangements would be confirmed in due course.

54. Finally, the New Zealand Co-Chair summarised the key themes and conclusions that were discussed during the Second ARF ISM on Maritime Security. The Co-Chairs' concluding observations appears as **ANNEX 3**.

ANNEX 3

ASEAN Regional Forum Second Inter Sessional Meeting on Maritime Security Auckland, 29-30 March 2010

Co-Chairs' Concluding Observations

- The Meeting welcomed the contribution of the ISM to strengthening global and regional maritime security.
- Delegates were reminded of the importance of maritime trade to the prosperity of ARF member countries. Members noted the importance of total supply chain security as an essential element of sustaining maritime trade in a globalised trading system.
- Delegates expressed determination to maintain harmonious inter-state relations in Asia and emphasised the importance of avoiding conflict.
- The Co-Chairs noted that further discussion would be needed before a consensus could be reached on a definition of maritime security.
- A demonstrable willingness to work in areas of common interest reflected a widespread understanding by countries that issues could not be addressed on an individual country basis.
- The growth in naval capabilities in the Asia Pacific was noted, with attendant risks. The Meeting also acknowledged the progress that had been made in enhancing confidence building.
- The meeting noted countries were engaged in a greater variety of missions, including countering non-traditional and asymmetric threats such as transnational crime.
- Cooperation on non-traditional threats accustomed countries to sharing information at low threat and classification levels and was a successful confidence building measure. This familiarity could prove useful in moderating tensions that might arise.

Cooperation

- Delegates agreed that effective methods of cooperation should continue to be developed, making effective use of the technical and other information sources that were discussed, including information and intelligence sharing for combating threats, as well as training in their effective use.
- They highlighted the importance of ARF members working together to support capacity building all member countries.
- The Meeting noted the importance of sharing best practice and lessons learnt from multilateral cooperation and information sharing efforts to combat piracy off the Coast of Somalia, and the relevance of these lessons for the Asia Pacific. The Meeting therefore welcomed China's informative presentation on its efforts to combat piracy.
- The Meeting welcomed the achievements from such strengthened cooperation, including steps outlined by Singapore that had led to a reduction in threats in the Straits of Malacca.
- The Meeting also noted the contribution being made by ReCAAP and expressed support for its continuing activities in combating piracy.
- It was recognised that international cooperation was crucial to combat the transnational and regional threat posed by strength, dexterity and resilience of criminal networks.
- The Meeting welcomed the interplay in enforcement between coastguard, navy, customs and police.
- Delegates agreed the importance of public/private cooperation and noted the importance of the private sector as partners in addressing maritime security issues.

- Delegates confirmed that frequent and open cooperation would facilitate dissemination of best practice and lessons learnt.

Legal frameworks

- Delegates noted the range of existing international mechanisms available to enhance maritime security, while acknowledging that further work needed to be done to address gaps and shortcomings in their coverage and application.
- To combat transnational maritime offences, delegates acknowledged a need to align domestic criminal legislation across state jurisdictions.
- The Meeting discussed the importance of flag state responsibility and expressed concern at the complications that poor practice in this area cause for maritime security.
- The Meeting welcomed advice from the Philippines on tripartite scientific research in the South China Sea with Viet Nam and China, while Viet Nam underlined the importance of the ARF in supporting and promoting the principles of the 2002 Declaration on the Code of Conduct in the South China Sea.
- Indonesia reinforced the importance of the Bali Process in addressing the origin, transit and destination countries of potential illegal immigrants.
- The Meeting noted the low level of ratification of major international treaties in the region including SUA (the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988) and SAR (the International Convention on Maritime Search and Rescue, 1979).

Threats

- The Meeting noted that while the underlying causes of piracy were outside the scope of the ARF it was important to acknowledge their impact on maritime security and the need to ensure that incentives for piracy were reduced.

Possible responses

- The Meeting heard individual national responses under consideration, including a proposal from the US to introduce Sea Marshalls and an interest in comparing approaches and experiences in this area.
- A preventive approach to security was recognised as important for the early risk identification and advance preparation of mitigation measures.
- The Meeting welcomed the report on the seminar on maritime security "Measures to Enhance Maritime Security: Legal and Practical Aspects" co-chaired by the EU and Indonesia, and noted the contribution it made to promoting regional cooperation.

Final statements

- The Meeting noted the importance and usefulness of Track II discussions.
- Delegates received Japan's draft questionnaire on capacity building. They noted the interest in further discussion and that a response was sought by 1 September 2010.
- Delegates noted the US proposals to establish a voluntary centre for information sharing (ATTIC) and to host a meeting on information sharing within the next six months. The Meeting invited the US to provide further details on the proposals.
- In conjunction with the ARF Chair and the ASEAN Secretariat, the Meeting agreed to report to the ARF SOM in May 2010 on the key outcomes of the second ISM and seek a mandate from Ministers at the ARF Ministerial meeting in July 2010 to produce a draft work plan on maritime security.

ASEAN Regional Forum Draft Outline of a Work Plan on Maritime Security: A Template for Discussion

2nd ARF ISM on Maritime Security, Auckland 29-31 March 2010

Context: Maritime security related issues represent some of the most pressing and potentially useful areas for cooperation in the ARF region. The concept of maritime security is a vast and diverse one which spans conventional maritime security issues such as military threats, state sovereignty concerns and territorial disputes - to more non-traditional maritime security issues, such as piracy, terrorism, natural disasters, climate change, illegal fishing, smuggling of drugs, people and goods.

Due to the importance of shipping and seaborne trade in the ARF region some forms of cooperation have developed among relevant countries in the region, both bilaterally and through multilateral fora, with a view to combating and preventing maritime security-related threats. However, cooperation in some areas still falls short of that which is necessary.

The ARF Inter-Sessional Meeting on Maritime Security was established by the 15th ASEAN Region Forum Ministerial Meeting in Singapore in July 2008. The first ARF ISM on Maritime Security (ISM-MS) in Surabaya in March 2009 agreed;

“to use the outcomes of the previous ARF Roundtable Discussion on the Stocktaking of the Maritime Security Issues held in Bali, August 2007, as the basis to have a more focused discussion in the ARF ISM on Maritime Security, particularly documents “Stocktaking of ARF Decisions and Recommendations on Maritime Security Issues” and “Matrix of Progress ARF Discussion on Maritime Security Issues”, and to consider the recurrent themes in the Matrix to be used as priority issues in advancing the ARF process in maritime security”

The first ARF ISM-MS also agreed

“to consider the possibility to develop a work plan of the ARF ISM-MS...with a possible draft work plan circulated prior to the next ISM-MS in New Zealand in 2010”.

This template for discussion aims to begin a conversation at the second ARF ISM-MS on what a possible draft work plan on maritime security might look like.

Framework: The MS Work Plan should identify Priority Areas for ARF’s maritime security efforts and distinguish the ARF’s role in the context of other regional efforts. While there are other important aspects of international maritime security cooperation, ARF should focus its own work in the areas where it could bring the most added value given its geographic focus, participation, and past work, as well as the specific interests of its members. The Work Plan should also be consistent with the long term goals of the ARF Vision Statement.

Objectives: The key objective of developing a Maritime Security Work Plan is to create a long-term coordinated and comprehensive plan that would:

- prioritize the issues on which the ARF ISM-MS should concentrate its future effort;
- assist in the coordination of regional and/or sub-regional capacity building exercises and training related to maritime security;
- allow for the creation of a compilation of shared experiences and lessons learned;
- maintain and build on existing ARF government efforts in capacity-building endeavors, technical support and information exchange;
- complement and coordinate with existing regional and international initiatives;
- strengthen existing networks; and
- Advance ARF Maritime Security efforts in a direction that direction contributes to the goals of the ARF Vision Statement endorsed by Ministers in July 2009.

A key issue is the extent to which the ARF ISM-MS should balance its work between conventional and non-traditional security issues. The latter may be less sensitive and provide attractive “building blocks”, but this does not mean the former should be neglected. Potential measures of preventive diplomacy and confidence-building in the maritime domain have a place in the Work Plan.

Leadership, Management and Funding Structure: It is suggested that an ARF Work Plan on Maritime Security mirror the modalities utilized by the ARF Work Plan on Disaster Relief. This would involve the appointment of Lead Countries for each priority area (one ASEAN and one non-ASEAN) that will be responsible for coordinating and presenting input provided by ARF participants to their respective Priority Area, proposing projects, coordinating the work of their Priority Area, and seeking out funding and hosts for projects in need of assistance. Lead Countries would also be responsible for:

- Liaising with the ARF Unit on the coordination and implementation of Work Plan requirements.
- Update the ARF Unit quarterly on Work Plan contributions.
- Work with ARF Unit to de-conflict projects, as appropriate.

Relationship with Other Regional/International Efforts: There is an obvious need for the Work Plan to be complementary to and coordinated appropriately with relevant regional and global efforts on maritime security. These organizations include, but are not limited to the International Maritime Organization (IMO), the United Nations Environment Programme (UNEP) (particularly its regional seas programmes), Contact Group on Piracy Off the Coast of Somalia (CGPCS), shipping associations and regional fisheries management organizations (RFMOs), [other relevant organizations to be added]. The following actions will be taken to ensure activities are complimentary to and in coordination with other regional and international efforts.

- The participation, as appropriate, of regional/international organizations in annual ISM-MS meetings. The ARF Unit and ISM-DR Co-chairs should also seek participation in relevant meetings of other forums.
- Consistent sharing of organization reports, strategies, and Work Plans, etc. by ARF with other organizations.

- Lead Countries, ARF Unit, and ISM-MS Co-Chairs should regularly consult with representatives of other fora both within and outside of their own governments.
- Publish the ARF MS Work Plan on ARF 's and ASEAN 's public websites.

Implementation Timeline: This paper is for discussion at the 2nd ISM-MS in March 2010. Based on discussions – and subject to a mandate from Ministers at the ARF Ministerial Meeting in July 2010 - the Co-Chairs could develop a draft ARF MS Work Plan to be submitted to the third ISM-MS to be held in 2011. Once the ARF-MS is endorsed by the ISM-MS and subsequently by ARF Senior Officials, and finally Ministers, ARF participants would propose projects and proposals that fit within the endorsed Priority Areas.

Priority Areas: Priority Areas should seek to provide a workable and realistic plan for the ARF. The Priority Areas and Work Plan should be regularly reviewed for relevance. The following are some tentative priority areas for discussion at the second ARF ISM-MS:

1. Information/intelligence sharing and exchange.
2. Maritime terrorism, piracy and armed robbery at sea.
3. Transnational organized crimes at sea (including smuggling of drugs, arms and people, as well as environmental crimes).
4. Preventive diplomacy and confidence-building in the maritime domain.
5. International and regional legal frameworks, arrangements and cooperation.
6. Transparency in naval budgets and operations
7. Capacity building.

Project Types: These projects can take a variety of forms to fit the particular assistance needs and nature of the Priority Area. As appropriate, projects can be single events or a series of activities with increasing complexity. Some examples include, but are not limited to:

1. ARF-wide or sub-regional training focused on improving law enforcement capacity, including inter-agency coordination;
2. Capacity-building workshops that share information on experiences on maritime security, bringing in government, private sector and other relevant experts to train and/or develop best practices;
3. Multilateral tabletop and/or field exercises that would test the implementation of international agreements, regional arrangements or modes of communication (including information-sharing) among ARF and sub-regional participants;
4. Studies on selected aspects of maritime security, in particular focussed on improved risk assessment and risk reduction.