

CO-CHAIRS' SUMMARY REPORT

ARF WORKSHOP OF NATIONAL MARITIME SINGLE POINTS OF CONTACT

Cebu City, Philippines, 28-29 April 2016

INTRODUCTION

1. Pursuant to the decision made during the 22nd ARF Ministerial Meeting on 06 August 2015 in Kuala Lumpur, Malaysia, the ARF Workshop of National Maritime Single Points of Contact was held on 28-29 April 2016 in Cebu City, Philippines. The workshop was Co-Chaired by Undersecretary Jose Luis M. Alano, Executive Director, National Coast Watch Council Secretariat; Mr. Steve Alexander, Deputy Commander, Maritime Border Command, Australia Border Force; and Commodore Ian Middleton, Regional and Multinational Engagement Advisor for Strategic Planning and Policy, USPACOM J5.
2. Representatives from ARF members from Australia, Bangladesh, Cambodia, the European Union, India, Indonesia, Malaysia, Myanmar, Philippines, Republic of Korea, Thailand, and the United States participated in the meeting. The Programme of Activities appears as **Annex 1**, and the List of Participants as **Annex 2**.

SESSION 1 – OPENING CEREMONIES

3. The workshop was opened by an introduction by the Co-Chairs and a keynote remarks by Undersecretary Jose Luis M. Alano.
4. Undersecretary Alano noted that the economic center of gravity had shifted towards Asia. Accompanying this shift has been the growth of seaborne trade with Asia accounting for about 70% of global container throughput. Likewise, he noted the significant developments in international maritime industry such as the increase of PANAMAX-sized container ships operating in Asia and the expansion of port facilities in Malaysia and Singapore. These developments in the industry is also matched by advancements in security and changes in the security structures within national governments such as the establishment of specialized agencies for maritime law enforcement operations, search and rescue, and border security. Governments are also establishing multi-agency structures for information sharing, coordinated response, or incident management. His remarks recognized that maritime security is a national government's responsibility, and it follows that all efforts at maritime security start at national level, but there is a need to integrate at regional level. Likewise, while the need for information-sharing is widely recognized, this has not necessarily translated to widespread action. Therefore, he noted that cross-country cooperation becomes even more complicated if national level inter-agency coordination is not improved.
5. The keynote remarks emphasized that the workshop is intended to search for viable avenues of law enforcement cooperation through national maritime single

points of contact (SPOC). The objective of the activity is conceptual rather than operational. The workshop's focus is on individual national best practices and experiences, building to discussions on the key elements that enable cooperation between national agencies. The workshop will also define the concept of a national single point of contact and what essential capabilities it should have. He further stressed the workshop must take into account that cooperation among multi-agency organizations is still in its incipient stage. To put it further, national inter-agency coordination is a concept that countries in our region are still grappling with.

SESSION 2 – REVIEW OF ASEAN COOPERATION ON MARITIME SECURITY

6. Ms. Katherine Vessels, Juris Doctor candidate from the University of Hawaii William Richardson School of Law described the international laws and instruments that already exist and apply to ARF members. She focused her presentation on three (3) international treaties: UN Convention on the Law of the Sea (UNCLOS), Convention on the Suppression of Unlawful Acts Against the Safety of Navigation, and Convention on Transnational Organized Crimes. She discussed how these international treaties were incorporated into the ASEAN regional framework through declarations, agreements, and arrangements. Her briefing concluded that there are sufficient legal and policy frameworks to support maritime security cooperation within the region. She proposed the establishment of an Information Sharing Center for those documents to enable easy access for ARF members. A copy of her presentation is attached as **Annex 3**.
7. Capt Martin Sebastian, Center Head/Research Fellow Center for Maritime Security and Diplomacy, provided a briefing on *Security Complex and its role in Maritime Security Cooperation*. The presentation focused on addressing the root causes of transnational organized crimes. He noted that effective maritime security coordination at the national level and multinational cooperation at the regional level is essential in addressing these root causes. He argued that maritime security coordination should consider the land-sea nexus, that information sharing between maritime security forces as well as other law enforcement agencies can deter and disrupt the commission of crimes in the maritime domain. He suggested the establishment of Multi-Agency Information Coordination Bureaus in each country that fuses all information at the national level to support the conduct of effective maritime security operations. A copy of his presentation is attached as **Annex 4**.

SESSION 3 – EXCHANGE OF VIEWS ON LAW ENFORCEMENT ASPECTS OF MARITIME SECURITY

8. The workshop noted the existing efforts of countries within ASEAN and the region in developing national coordinative mechanisms to enhance maritime security.
9. The participants were provided with an overview of Australia's approach to border management such as the creation of Australia's Border Force and the strengthening, through Maritime Powers legislation, of the multi-agency Maritime Border Command.

10. The workshop recognized the experience of Malaysia in developing their national maritime security architecture including the legislation establishing the Malaysian Maritime Enforcement Agency (MMEA). The delegation expressed their openness to discussing a regional solution for maritime law enforcement cooperation.
11. Indonesia shared their experience in establishing the Indonesian Maritime Security Board (IMSCB) or BAKAMLA. They informed the workshop of the Indonesian government's plans of further improving the capabilities of BAKAMLA. To further enhance coordination at the national level, the Coordinating Ministry for Maritime Security and Resilience was recently established by the Indonesian government.
12. The workshop was also informed of South Korea's Coast Guard role in addressing maritime security issues and their cooperation with the Coast Guards of China, Japan, and United States among others.
13. Thailand shared its best practices and experiences in addressing Illegal, Unreported, and Unregulated (IUU) fishing activities. The participants noted that the Command Center for Combating Illegal Fishing (CCCIF) is an example and case study of successful national maritime SPOC.
14. The Philippines shared their national best practices and experience on establishing the National Coast Watch System. The delegation expressed its willingness to learn from the experiences of other countries in the region noting that its systems are still being developed.
15. The United States shared the various inter-agency arrangements in various parts of the country such as the U.S. Coast Guard's mandate for maritime security, Joint Inter-Agency Task Force West, and the Joint Harbor Operations Center in San Diego, California.

SESSION 4 – BREAKOUT GROUP DISCUSSIONS

16. The Workshop conducted three Breakout Group Discussions to (1) explore the necessity and viability of the concept of national maritime SPOC through national best practices and experiences; (2) identify the elements of a national maritime SPOC that is either a Coordinating Center or a Directing Center; and (3) ascertain the requirements for the establishment of national maritime SPOCs through a framework of maritime domain awareness. The Workshop acknowledges the presentations from the delegations on their presentations and openness in sharing their national best practices and experiences.
17. It was noted that there is not a single optimum model for a SPOC and that each nation's model should reflect its unique security and legal environment, maritime threats, and existing security arrangements. While acknowledging the need to tailor the SPOC for each country a number of common observations were made.
18. The discussions identified the following benefits of establishing national maritime SPOCs:

- a. Leverages the capabilities of national agencies in the collection, analysis, and dissemination of information;
 - b. Facilitation of effective and timely information-sharing among agencies and across national jurisdictions;
 - c. Promotes efficiency in the allocation of resources for developing maritime capabilities and capacities; and
 - d. Maximizes the potential of limited assets through the prioritization of threats and identification of the most appropriate means to respond to the same.
19. The Breakout Group Sessions also identified potential challenges on the establishment of national maritime SPOCs, including but not limited to:
- a. Resistance to change;
 - b. Establishing the appropriate mandate for the SPOC;
 - c. Lack or absence of institutional capabilities and capacities for information sharing such as equipment, information systems, standard operating procedures (SOPs), training, and personnel; and
 - d. Understanding concepts of command, control, and communications procedures.
20. The Breakout Group Sessions took stock of the national experiences and best practices that helped identify the elements of a national maritime SPOC. These elements are required to ensure that the SPOC has both the mandate, capability, and capacity to achieve the desired outcomes. The identified elements of an SPOC are as follows:
- a. Sufficient legal mandate to either coordinate or direct information sharing and response at the national, bilateral, and regional levels through legislation, executive issuances, agreements, and SOPs;
 - b. A 24/7 operational level organization that can collect, observe, fuse, analyze and disseminate information, and coordinate response;
 - c. Agreed information-sharing protocols between agencies and countries;
 - d. Clearly defined command, control, and coordination arrangements at the national level to make decisions on the allocation and deployment of assets and resources;
 - e. Staffed and operated by personnel from concerned agencies depending on their level of participation in a situation; and
 - f. Ability to provide operational legal advice through cooperation with the national prosecution agencies.
21. The Breakout Group Sessions affirmed the need to further develop the concept of national maritime SPOCs. In this process, it is recommended to refine the results of the discussions by examining mature inter-agency arrangements at the national and multilateral levels including maritime search and rescue arrangements.

SESSION 5 – SENIOR LEADERS’ SEMINAR (SLS)

22. The workshop also held a SLS composed of the Heads of Delegations. The seminar focused on discussing the merits of national maritime SPOC for maritime law enforcement cooperation, ways of promoting the concept, and way ahead activities.

23. The SLS noted that a variance exists between those states with advanced coordination and inter-agency cooperation arrangements, and those with developing ones. However, there was a general consensus in the SLS that information sharing is an essential element of ASEAN maritime security, and a broad recognition that inter-agency law enforcement cooperation is vital.
24. The SLS arrived at a consensus that the concept of the national maritime SPOC has merit in the ASEAN context and should be pursued further in subsequent events. It was agreed that future activities should be planned as the preferred way ahead. First, a workshop to identify and share best practices in inter-agency cooperation, coordination and information sharing should be developed. This workshop could also further define the idea of the single POC. A second follow-on workshop was also recommended. SLS participants agreed that this could take the form of a scenario-based desktop exercise, to develop how the agreed concept of the national maritime single point of contact might function in practice, resulting from concept definition and identification of best practices from the previous workshop.

SESSION 6 – CONCLUSION AND CLOSING

25. The Workshop expressed gratitude to the Philippines, Australia, and the United States for assistance in Co-Chairing the ARF Workshop of National Maritime Single Points of Contact. They also thanked the Government of the Philippines for its generous hospitality and excellent arrangements made for the Meeting.