

**Co-Chairs' Summary Report of
the Fifth ARF Inter-Sessional Meeting on Maritime Security
Seoul, Republic of Korea, 18-19 April 2013**

Introduction

1. Pursuant to the decision of the 19th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Phnom Penh, Cambodia on 12 July 2012, the meeting of the Fifth ARF Inter-Sessional Meeting on Maritime Security (ISM on MS) was held in Seoul on 18-19 April 2013. The Meeting was co-chaired by Mr. Jose Tavares, Director of ASEAN Political-Security Cooperation, Ministry of Foreign Affairs of Indonesia, Mr. Park Chulmin, Deputy Director-General for International Organizations, Ministry of Foreign Affairs of the Republic of Korea, Mr. Michael H. Fuchs, Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs, Department of State of the United States.

2. All ARF participants except the Democratic People's Republic of Korea (DPRK), Mongolia, Pakistan, Papua New Guinea and Sri Lanka, were present. Representatives from the Pacific Forum – Center for Strategic and International Studies (CSIS), the Council for Security Cooperation in Asia Pacific (CSCAP), Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) and the ASEAN Secretariat were also present. The List of Participants appears as **ANNEX 1**.

Agenda Item 1: Opening Session

3. Mr. Park Chulmin, Deputy Director-General for International Organizations, in his opening remarks highlighted the importance of maritime security for the regional economy. He identified a number of maritime security challenges ranging from piracy to marine environment and valued the ARF ISM on MS as a venue for the ARF participants to address comprehensive maritime security issues. He encouraged the ARF participants to be committed to fundamental principles to strengthen maritime security cooperation, including the United Nations Convention on the Law of the Sea (UNCLOS). He emphasized the importance for the ARF participants to ratify and implement

important international conventions in the field of maritime security, including the International Ship and Port Security (ISPS) Code. He encouraged the ARF participants to strengthen their cooperation to combat piracy and work closely with existing mechanisms such as the ReCAAP, the Contact Group on Piracy off the Coast of Somalia (CGPCS), North Pacific Coast Guard Forum (NPCGF) and others. He further mentioned that the ARF participants should continue efforts to support capacity-building in maritime security. He viewed that it would be necessary for the ARF to implement a set of CBMs to reduce the possibility of conflict and enhance transparency in both civilian and military domains. The CBMs initiatives should include establishment of communication channels and sharing of information on national strategy and policies on maritime security. He concluded by encouraging all ARF participants to actively participate in the discussion. His welcome remarks appear as **ANNEX 2.**

4. Mr. Michael H. Fuchs, Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs, Department of State of the United States expressed his gratitude to the host South Korea along with co-chair Indonesia for all the work done in preparation for the ISM. He noted that as a member of the Asia-Pacific community of nations, the United States is committed to strengthening the security and economic architecture necessary for ensuring regional stability, and is doing its part to promote maritime security in the region by taking the necessary steps to join ReCAAP and launching with the Philippines the Expanded ASEAN Seafarers Training initiative. He emphasized the need for ARF to begin advancing its preventive diplomacy capacity in order to help realize ARF's strategic potential as an action-based, solutions-oriented regional security body; especially now, as tensions mount in areas like the South China Sea and the potential for conflict increases. He also underscored the importance of including civilian maritime agencies in the ARF Maritime Security ISM to tackle issues from environmental protection, humanitarian assistance and disaster relief, to search and rescue, and ship-profiling. He hoped that the ARF ISM on Maritime Security would contribute to advancing ARF toward these goals within the maritime domain. His welcome remarks appear as **ANNEX 3.**

5. In his opening remarks, Mr. Jose Tavares, Director of ASEAN Political-Security Cooperation, Ministry of Foreign Affairs of Indonesia, expressed

gratitude and appreciation to the Republic of Korea and the United States Co-Chairs for the excellent co-chairmanship of the ISM on MS. He recalled the adoption of the ARF Work Plan on Preventive Diplomacy which lays the foundation for the ARF to work as an action-oriented Forum. He suggested that interlinkages of cooperation between transnational crimes and maritime security in the region has manifested in the issues such as trafficking in persons, drug trafficking, illegal fishing and other crimes conducted at sea constitutes the challenges for the ARF to act in a more responsive manner. He was of the view that although the ARF is not a policy making body, it should continue to provide recommendations on the issue of maritime security. He assessed that the ARF has undertaken various activities in implementing the ARF Work Plan on Maritime Security, but more need to be done. He highlighted that next year would be the time to review the ARF Work Plan on Maritime Security. His welcome remarks appear as **ANNEX 4**.

Agenda Item 2: Adoption of the Agenda

6. The Meeting considered and adopted the Agenda which appears as **ANNEX 5**.

Agenda Item 3: Briefing on the Outcomes of Maritime Security-Related Activities

7. The Meeting noted the briefing on the outcomes of the ADMM-Plus Experts' Working Group on Maritime Security (EWG on MS) co-chaired by Malaysia and Australia. The ADMM-Plus EWG on MS has made significant progress in promoting maritime security cooperation. The Meeting noted that the EWG on MS has conducted a table-top exercise (TTX) in Langkawi on 3-7 September 2012, which led Australia and Malaysia to develop follow-up activities. The EWG on MS has also developed the ADMM-Plus Maritime Security Information-Sharing Portal (AMCSIP). The Meeting welcomed the ADMM-Plus Maritime Security Field Training Exercise (FTX) to be conducted at Jarvis Bay, Australia, on 28 September – 1 October 2013. The FTX will be the first-ever opportunities for the ADMM-Plus navies to come together. The Meeting noted that the co-chairmanship of Malaysia and Australia will end in

April 2014 and succeeded by Brunei Darussalam and New Zealand. The briefing appears as **ANNEX 6**.

8. The Meeting noted the briefing on the outcomes of the ARF Workshop on Ship Profiling, co-chaired by Brunei Darussalam, Malaysia and New Zealand and recently convened in Kuala Lumpur on 15-16 April 2013. The workshop successfully enhanced awareness of regional approaches and tools that countries employ towards ship profiling. It also succeeded in providing an important contact-building and networking opportunity for maritime security officials and ship profiling experts from the region. Topics covered by the workshop included defining ship profiling and its purposes; building awareness of the international regulatory and compliance regime relevant to ship profiling, in particular the ISPS Code, information sharing and international cooperation; the role of intelligence in the implementation of ship profiling; the role of ship profiling in the process of building greater maritime domain awareness; best practices; and future challenges in the area of ship profiling. The Workshop participants recognized that information sharing remains an on-going challenge even at the inter-agency and national level. The Workshop was of the view that there is no one-size-fits-all approach towards ship profiling. The important role of international cooperation was highlighted by a number of speakers. The Workshop also noted a suggestion to develop a set of best practices on ship profiling to be submitted to the International Maritime Organization (IMO), a step which ARF participants might wish to further explore. The Co-Chairs invited inputs from the ARF participants on possible follow-up activities to continue cooperation on ship profiling. The briefing appears as **ANNEX 7**.

9. The Meeting noted the briefing by the Philippines on the outcomes of the 3rd ASEAN Maritime Forum (AMF), which was conducted in Manila on 3-4 October 2012. The 3rd AMF deliberated on the issues of maritime security and cooperation in ASEAN, maintaining freedom of navigation and addressing sea piracy, protecting the maritime environment and the future of the AMF. The meeting agreed that the outcomes of the AMF's deliberation should support the realization of the three pillars of ASEAN Community. The briefing also highlighted the outcomes of the 1st Expanded ASEAN Maritime Forum (EAMF) which was conducted in Manila on 5 October 2013, building upon the outcomes of the AMF. The 1st EAMF focused among others on the relevance of the 1982

UNCLOS in today's context, maritime connectivity and capacity-building, promoting marine environment and maritime tourism. The briefing appears as **ANNEX 8.**

10. The Meeting noted the briefing on the outcomes of the Workshop on Maritime Security by the Pacific Forum – CSIS, which was held in Seoul on 17 April 2013. Workshop was of the view that there was still value in the ARF's focus on non-traditional security issues, but the time has come for the ARF to look into traditional security challenges as well. The Workshop suggested that the ARF could play a role in developing rules of engagement (RoE) in addressing the traditional security issues in the region, such as the maritime security. The Workshop recognized the fundamental importance of the UNCLOS but also viewed that there were still a number of disagreements in its implementation. The Workshop also looked into the issues of protection of marine environment, the increased use of civil maritime , the need for capacity-building (both hardware and software/operations/procedures), and the need to improve coordination between regional navies and coast guards. The briefing appears as **ANNEX 9.**

Agenda item 4: Update on ARF Maritime Security Work Plan

11. At the beginning of discussion on this agenda item, the Meeting expressed condolence and sympathy for the victims of the recent bombing attack in Boston on 14 April 2013. The Meeting noted the report of the progress of implementation of Priority Area no. 2 of the ARF Work Plan on Maritime Security, under the leadership of Malaysia and Japan. Under this priority area, the Meeting welcomed the proposal by Malaysia and Japan for an ARF Workshop on CBMs in Maritime Security to be held in the inter-sessional year of 2013-2014. The proposal appears as **ANNEX 10.** The Meeting also noted the national efforts on maritime security undertaken by the Government of Japan, including joint training with several ASEAN Member States.

12. The Meeting also welcomed the proposal for the 2nd ARF Seminar on UNCLOS proposed by the Philippines and Australia. The Meeting noted the background and objective of the proposal. The 2nd Seminar would build on discussion and recommendations of the first Seminar and on the clear interest

of ARF members in continuing to raise ARF members' awareness and understanding of UNCLOS and how its provisions relate to the region. The proposed seminar would also demonstrate the benefits of UNCLOS for regional maritime security, as a step towards developing concrete and effective responses to maritime security challenges. All ARF participants are invited to the Seminar, which will be held in the Philippines in the next cycle of ARF inter-sessional year in 2013-2014. The proposal appears as **ANNEX 11**.

13. The Meeting welcomed the proposal of China and consideration of Malaysia to be lead countries for Priority Area no. 3 of the ARF Work Plan on Maritime Security, namely, on capacity-building of maritime law enforcement agencies in the region.

14. The Meeting also encouraged ARF participants to volunteer to lead in Priority Area no. 1 of the Work Plan, namely, on information/intelligence exchange and sharing of best practices, including on naval operations.

15. The Meeting exchanged views on the current priority areas of the Work Plan and encouraged the ARF participants to review the priority areas for the implementation period of 2014-2016. The Meeting was of the view that the Work Plan should continue to focus on the current three priority areas and encourage ARF participants to take up co-leadership in the implementation of these areas.

Agenda Item 5: Cooperation in Civil Maritime Law Enforcement

16. The Meeting exchanged views on civil maritime law enforcement. In order to respond to maritime security challenges, the Meeting reiterated the importance of sharing of information on best practices in maritime cooperation in the region. The Meeting shared best practices in the areas of search and rescue (SAR) and exchanged information on the existing civilian-to-civilian coast guard cooperation.

17. The Meeting highlighted some best practices in maritime multilateral cooperation in the field of SAR, which were collated from the joint coast guard operations undertaken by some ARF participants. Cases such as rescue

operations of sunken vessels and assistance in repairing and towing to boat in distress at sea were mentioned in the discussion.

18. The Meeting noted the annual joint exercises participated by several ARF participants, including Australia, China, Canada, Indonesia, Japan, Republic of Korea, Russia, and the United States. The Meeting noted that some ARF participants have signed bilateral Memorandum of Understanding (MoU) to enhance collaboration on maritime SAR and others.

19. The Meeting took note of the existing multilateral coast guard interactions participated by some ARF participants, namely the NPCGF and the Heads of Asian Coast Guard Agencies Meeting (HACGAM). The mechanisms, areas of cooperation regular activities of these fora and especially the outcome of HACGAM-8 were highlighted. The meeting also noted some ARF participants have a long experience with bilateral activities in some fields such as anti-piracy and armed robbery measures.

20. The Meeting observed that piracy and armed robbery remain as major challenges for maritime security in the region. In this context, the Meeting recognized the role of the ReCAAP Information Sharing Centre (ReCAAP ISC) and noted the recent developments in the implementation of the three pillars of ReCAAP, namely on information sharing, capacity-building and cooperative arrangements. Since its signing of ReCAAP in 2004 and the establishment of the ISC in 2006, 14 Asian countries and 4 European countries have joined as full members, Australia has tended its accession in March 2013 and the United States has expressed its interest to accede to Agreement. The Meeting was also informed of the decrease in the number of piracy incidents since 2011. A number of ReCAAP's engagements with the international partners in the implementation of the Djibouti Code of Conduct were also noted.

21. The Meeting noted the briefing by the CSCAP representative on the CSCAP Memorandum no. 16, January 2011, titled Safety and Security of Offshore Oil and Gas Installations. The Memorandum recommended the ARF to play a leading role in the issue of offshore oil and gas installations and proposed establishment of an ARF working group on this subject. The Meeting also noted that a new CSCAP Study Group on Principles of Good Order at Sea

has been established to support the agenda of the ARF ISM on MS. The Study Group plans to convene a workshop on the sidelines of the 6th ARF ISM on MS in Indonesia in 2014.

22. The Meeting recalled the establishment of the ARF Regional Maritime Information Centre (ARF-RMIC), proposed by China and adopted by the 8th ARF in Hanoi on 25 July 2001. China informed the Meeting that the ARF-RMIC website has been set up and managed by the National Marine Data and Information Service of China in Tianjin. One important aim of the ARF-RMIC is to share information and intelligence among ARF participants for better cooperation and coordination. In this sense, the Meeting suggested that this initiative be revived and further developed and encouraged the ARF participants to submit information to the Centre.

23. The Meeting noted the presentations by the Republic of Korea, Japan, ReCAAP ISC, China, CSCAP which appear as **ANNEXES 12~16**.

Agenda Item 6: International Ship and Port Security (ISPS) Code

24. The Meeting discussed an overview of the ISPS Code. The Meeting recalled the objectives of the ISPS Code, namely, 1) to establish an international framework involving co-operation between Contracting Governments, Government agencies, local administrations and the shipping and port industries to detect security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade; 2) to establish the respective roles and responsibilities of the Contracting Governments, Government agencies, local administrations and the shipping and port industries, at the national and international level for ensuring maritime security; 3) to ensure the early and efficient collection and exchange of security-related information; 4) to provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels; and 5) to ensure confidence that adequate and proportionate maritime security measures are in place.

25. The Meeting discussed the national experiences of the ARF participants in implementing the ISPS Code. Some ARF participants highlighted the national

legal systems, regulations and normative instruments promulgated by the national governments to implement the ISPS Code. Some participants highlighted cooperation with international donor agencies, international organizations and bilateral arrangements between the coastguards that have contributed to the strengthening of national agencies' capacity in implementing the ISPS Code.

26. The Meeting exchanged views on the role of the coast guards in improving various aspects of port security. Some participants introduced their national compilation of best practices of coast guard operation in port security.

27. The Meeting assessed the cases of deficiency in the implementation of the ISPS Code. The Meeting identified several aspects of deficiency, among others, security alert system, ship security plan, ship security officer and security drills. The Meeting also noted the number of ISPS Code certificates which have been issued for ships and ports in the ARF participants.

28. Some ARF participants shared information on measures that have been undertaken by their national governments in view of improving maritime security in line with the principles of the ISPS Code. These measures included, strengthening of port security through installation of fences and CCTV, security control of foreign vessels, and installation of citadels, inter-agencies coordination and capacity-building. Some participants underscored the importance of balancing between the need to ensure security and free-flow of navigation, as well as taking into consideration the human perspective in the implementation of ISPS Code.

29. The Meeting noted the presentations by Indonesia, the United States, China, the Republic of Korea, Malaysia, and the intervention by EU, which appear as **ANNEXES 17~22.**

Agenda Item 7: Country Statements

30. The Meeting exchanged views on information sharing in border protection, maritime terrorism, piracy, robbery and violence at sea, smuggling of consumer goods, prohibited import and export, maritime environment pollution,

illegal fishing, and irregular maritime arrival. The Meeting noted that further cooperation in counter piracy and conclusion of bilateral agreements on maritime security-related matters was required.

31. The Meeting also noted the establishment of maritime law enforcement agencies in some ARF participants. The Meeting took note of the experiences by some ARF participants' efforts for restructuring marine administrative departments and their maritime law enforcement agencies. Some participant highlighted the advantages of such a restructuring exercise, which include avoiding duplicate construction of infrastructures and equipments, effective utilization of sources of all the maritime agencies, and improving bilateral and regional cooperation with other countries. Some participants informed the Meeting of their national maritime information systems that synthesize and collate dispersed maritime data and information.

32. The Meeting viewed that it is critical for the ARF to develop its capacity to respond to regional security challenges. The Meeting cited the proposal for an Expanded ASEAN Seafarer Training Programme as an example of a capacity-building initiative. For future consideration, the Meeting also noted that ARF should look into the issue of protection of maritime environment. The Meeting took note of the proposal by the United States to convene an ARF workshop to discuss regional cooperation in response to marine environment pollution incidents involving hazardous and noxious substances. In response, Japan expressed its interest to co-chair this initiative with the United States. The proposal appears as **ANNEX 23**.

33. The Meeting acknowledged the existing mechanisms to promote cooperation on maritime security under the framework of ASEAN, namely, the ARF, the ADMM-Plus, the ASEAN Maritime Forum (AMF)/Expanded AMF, the ASEAN Transport Ministers' Meeting, and the East Asia Summit. The Meeting was of the view that these various mechanisms should contribute to the consolidated cooperation on maritime security in the Asia Pacific region. The Meeting also reiterated the need for promoting synergies among these existing mechanisms.

34. The Meeting noted Japan's interest to pursue cooperation in the area of satellite technology to enhance maritime domain awareness. The Meeting recognized Japan's interest and requested Japan to further develop this proposal.

35. The Meeting noted the concerns expressed by some ARF participants on the situation on the Korean Peninsula. In this context, the Meeting noted the need for strengthening capacity in securing ships from transporting weapons of mass destruction.

36. The Meeting noted the presentations by Australia, Bangladesh, China, India, Indonesia, Japan, the Republic of Korea, Thailand, the United States, and Viet Nam, which appear as **ANNEXES 24~33.**

Agenda Item 8: Protection of Marine Environment

37. The Meeting noted the experiences of the national response in tackling the maritime security incidents that affected the marine environment. The Meeting discussed among others, the cases of United States Coast Guard response to the Deepwater Horizon oil spill in the Gulf of Mexico, the Maritime New Zealand response to the MV Rena oil spill off the coast of New Zealand, Japan Coast Guard response to crude oil spills in the Persian Gulf, the Philippines, the Straits of Malacca, and South Korea, as part of international disaster relief activity.

38. The Meeting identified lessons learned from the aforementioned case studies. The cases demonstrated the critical importance of inter-agency coordination, collaboration with local communities, the clear division of tasks of the different agencies involved in the response operations, the compilation of incidents, specific review reports to help with preparedness in the future operations, and comprehensive planning in oil spill response.

39. The Meeting recognized that overlapping issues surrounding marine environment incidents might present difficulties in responding to such incidents. In the case studies presented by the ARF participants, issues such as oil containment and recovery, bad weather situation, wildlife and fishery

management and tourism were the overlapping factors that need to be carefully taken into consideration in the response operations. The Meeting shared the view that long-term recovery from major marine environment incidents required a comprehensive approach, which addresses areas such as shoreline, wildlife, biosecurity, and cultural and community impacts.

40. The Meeting took note of existing international initiatives and training on response to marine environmental pollution caused by oil spills. The Cooperative Project on Oil Spill Preparedness and Response in Asia (OSPAR Programme) promoted by the Japanese government and NGOs from 1980s, training on human resources, exchange of experts, seminars and exercises were mentioned in this context.

41. The Meeting noted the proposal from China for an ARF Workshop on Marine Oil Spill in Qingdao in the first half of 2014. China is inviting an ASEAN Member State to co-chair the Workshop. The proposal appears as **ANNEX 37**.

42. The Meeting took note of Japan's recommendation for the United States and China to cooperate on an ARF Workshop based on their similar proposals related to the protection of the marine environment from hazardous and noxious substances and oil spills, respectively. Japan also offered its support.

43. The Meeting took note of the suggestion for the ARF to conduct a regional risk assessment in the issue of marine environment through a series of workshops. In taking stock of the regional risk assessment, the Meeting recognized the need to involve the private sectors as one of the major stakeholders in the protection of marine environment. The Meeting also agreed that the issue of prevention of marine environment incidents should also be addressed in the future ARF's deliberation.

44. The Meeting noted the presentations by the United States, New Zealand, Japan and China which appear as **ANNEXES 34~37**.

Agenda Item 9: Other Matters

45. The Meeting noted that the 6th ARF ISM on MS will be held in the Indonesia in 2014, co-chaired by Indonesia, the Republic of Korea and the United States.

46. The Co-Chairs announced that the draft Co-Chairs' Summary Report will be distributed to all ARF participants via e-mail the following week after the Meeting is concluded. ARF participants were invited to submit their comments and inputs to the Co-Chairs on a set deadline.

Agenda Item 10: Closing Remarks

47. In his closing remarks, Mr. Park Chulmin commended the exchange of views and interaction throughout the course of the Meeting. He outlined the proposals for workshops and seminars suggested in the Meeting and also expressed appreciation to Malaysia and China to co-lead priority area no. 3 of the ARF Work Plan on Maritime Security. He also expressed his sincere appreciation to all ARF participants for the fruitful discussion that contributed to the success of the Meeting.

48. Mr. Jose Tavares, in his closing remarks, expressed his appreciation to the Republic of Korea and the United States for the able co-chairmanship of the ARF on MS and to all ARF participants and the ASEAN Secretariat for the active participation and contributions to the discussion. He also announced that next year, ARF ISM on MS will be hosted by Indonesia. Date and venue of the meeting will be communicated to ARF Participants in due course.

49. Mr. Michael H. Fuchs observed that there has been progress in ARF cooperation in maritime security, thanking participants for contributions to the ISM on MS and the ARF Work Plan on Maritime Security. He called upon ARF participants to volunteer as co-leads for Priority Area no. 1 of the ARF Work Plan on Maritime Security. He shared his view that maritime security cooperation within the ARF has been vital and underscored the need to continue these discussions and activities in the format of workshops and seminars. He also emphasized the importance of prevention and preventive diplomacy to maritime security in the region.

Acknowledgement

50. The Meeting expressed gratitude to the Co-Chairs for their effective leadership and fruitful discussion. The Meeting also expressed appreciation to the Government of the Republic of Korea for the excellent arrangements, including the field trip to the ROK Coast Guard base, and hospitality accorded to all ARF participants.

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