



**CO-CHAIRS' SUMMARY REPORT**  
**2<sup>ND</sup> ASEAN REGIONAL FORUM WORKSHOP OF**  
**NATIONAL MARITIME SINGLE POINTS OF CONTACT**

Kuala Lumpur, Malaysia, 27-29 August 2018

**INTRODUCTION**

1. The 2<sup>nd</sup> ASEAN Regional Forum (ARF) Workshop of National Maritime Single Points of Contact (NMSPOC) was held from 27 to 29 August 2018 in Kuala Lumpur, Malaysia, as approved by the 24<sup>th</sup> ARF Ministerial Meeting on 7 August 2017 in Manila, the Philippines. It served as a follow-up to the previous ARF NMSPOC Workshops, including the ARF NMSPOC Workshop held from 28 to 29 April 2016 in Cebu City, the Philippines, during which it was agreed that the NMSPOC concept has merit in the ASEAN context and should be pursued further. Therefore, the purpose of this 2<sup>nd</sup> Workshop was to further define the idea of a NMSPOC by identifying and sharing best practices in inter-agency cooperation, coordination, and information sharing.
2. The Workshop was co-chaired by Dr. Adina Kamarudin, Director-General, Maritime Affairs Department, Ministry of Foreign Affairs, Malaysia; Dr. Christopher Merritt, Maritime Technical Advisor, the United States Mission to ASEAN in Jakarta; and Commander Christopher Waters, Regional Director of South East Asia, Australian Border Force in Jakarta.
3. Representatives from ARF Member States (Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Thailand and Vietnam) as well as Australia, Canada, China, Japan, Pakistan, Russia, Timor Leste, the United States and the ASEAN Secretariat participated in the Workshop. The Programme of Activities appears as **Annex 1**, and the List of Participants as **Annex 2**.

**SESSION 1 – OPENING CEREMONY : CO-CHAIRS' INTRODUCTION AND WELCOMING REMARKS**

4. The three Co-Chairs in their welcoming remarks expressed their appreciation to the facilitators, experts and delegates from ARF Member States, including members of the Secretariat for their participation and support in this Workshop.

5. Dr. Adina reiterated the recognition of the 2016 ARF NMSPOC Workshop that maritime security is a national government's responsibility, and emphasized the need for inter-agency cooperation as the first step in integrating maritime security issues, including information sharing at regional and international levels. She mentioned that maritime security should be discussed from three distinct and equally important perspectives, namely policy, operational and technical. Dr. Adina highlighted that the issue is not only pertinent to maritime areas as there is a symbiosis between events taking place at sea as well as on land. This therefore sends a strong call for the improvisation and streamlining of communication, coordination and cooperation between all relevant agencies, as well as collaboration between countries.

6. Dr. Merritt expressed that the United States values its participation in the ARF and continues to see the value of information sharing, cooperation and collaboration as pillars for maritime security, as this is the central factor for maintaining an international maritime rules-based order. He expressed the view that having an information sharing architecture based on a NMSPOC can be the backbone for the regional information sharing effort. Therefore a maritime security network should be effectively developed and enhanced, in order to have a better understanding of information in the maritime domain.

7. Mr. Waters shared that Australia recognized the importance of the ARF as a multilateral platform to discuss matters of mutual interest and to discuss maritime cooperation. Principles and concepts of ideas presented are important in order to enable each country to consider what is suitable for them, thereafter developing a framework for a NMSPOC.

## **SESSION 2 – REVIEW OF 2016 NMSPOC WORKSHOP IN CEBU, THE PHILIPPINES**

8. Dr. Chris Rahman, Principal Research Fellow and Associate Professor in Maritime Strategy & Security from the University of Wollongong, Australia, conducted this session and stated that the 2016 ARF NMSPOC Workshop:

8.1 identified that establishing a NMSPOC would benefit States to promote efficiency in resource allocation and maximise the potential of its limited assets;

8.2 recognised NMSPOC as a potential conduit for better maritime security cooperation at national and regional level; and

8.3 highlighted several possible elements of NMSPOC such as sufficient legal mandates, agreed information sharing protocols between agencies and the ability to provide operational legal advice.

9. Dr. Chris Rahman concluded the session by outlining three key points from the 2016 ARF NMSPOC Workshop to be further considered and discussed as follows:

9.1 Can a generic and non-prescriptive framework be identified for the development of a NMSPOC to assist ARF member states in their own national efforts?

9.2 What capacity building assistance is required to assist ARF member states in their respective national efforts?

9.3 What should be the next steps in developing and implementing the NMSPOC concept at national and regional level?

### **SESSION 3 – SPOC TABLE TOP EXERCISE**

10. Dr. Merritt who led the exercise was assisted by Mr. Timothy Teal and Ms. Christie Manafe, from the U.S. Department of Justice International Criminal Investigation Training Assistance Program (ICITAP), U.S. Embassy Indonesia. The objective of the Table Top Exercise (TTX) was to set the tone for the Workshop by utilising team activity to simulate a fusion process between countries. The simulation process aimed at illustrating the importance of gathering, analysing, and exchanging information from all sources by leveraging information that is available and stored in different databases.

11. The session included a brief on the background and function of ICITAP, followed by a case scenario. Participants were divided into 10 groups, each representing a country in the Southeast Asia region. Each group had a deck of cards simulating a national level database, with each card representing a single information item. Participants were presented with a developing scenario related to human trafficking and were requested to share relevant information from their deck of cards. As the scenario unfolded, the moderator continuously updated and visually projected a link analysis chart that provided an illustration of how each piece of shared data revealed more information into the broader illegal network – a network that involves human trafficking at sea, narcotics smuggling, and false flag registrations.

12. At the end of the exercise, participants were able to uncover a transnational organized crime network through the information sharing and data fusion process. The exercise inscribed the value and necessity of information sharing as well as regional cooperation and collaboration among all ARF participants.

## SESSION 4 – EXCHANGE OF VIEWS ON SPOC

13. Dr. Adina moderated the session with Mr. Mohd Helmy Ahmad, National Security Council of Malaysia; Captain Dorne Tipnat, Royal Thai Navy; and Mr. Kent Thew, US Coast Guard sharing their views on the NMSPOC.

14. Maritime law enforcement in Malaysia's waters is undertaken by several enforcement or security agencies based on the agencies' respective jurisdiction. Initially, the Maritime Enforcement Coordination Centre (MECC) was established with the aim to coordinate maritime enforcement activities in Malaysia's waters. However, in 2008 the roles and functions of MECC were handed over to the Malaysia Maritime Enforcement Agency (MMEA) to support the establishment of MMEA as the lead maritime enforcement agency in Malaysia.

15. Malaysia recognised several limitations or challenges to its current coordination mechanisms which includes the lack of effective and timely information sharing among maritime agencies, and is of the view that the concept of NMSPOC is worth exploring to improve its maritime security cooperation both at the national and regional level.

16. The Thailand Maritime Law Enforcement Coordinating Center (THAI-MECC), established in 1997 is led by the Royal Thai Navy as the focal point with the intention to coordinate various maritime-related organizations to ensure a clear direction of maritime operations, reduce task duplication, and to facilitate a continuous exchange of information between agencies. Two major tasks of THAI-MECC include supporting the government to combat illegal, unreported and unregulated (IUU) fishing as well as preventing slavery and human trafficking at sea. Foreseeable challenges along with upcoming changes include countering threats in wider waters on small platforms, overcoming language barriers, managing effective points of contact with other nations to maintain and enhance capability, and confronting new traditional threats.

17. The United States Coast Guard (USCG) is a military service with a maritime law enforcement mission (with jurisdiction in both domestic and international waters). The USCG is a member of the Intelligence Community and regulates civil maritime movements in US territorial seas. It operates under the U.S. Department of Homeland Security hence has a broad range of responsibility that is subdivided under the law, into eleven (11) statutory missions that focuses on maritime safety, maritime security, and maritime stewardship.

18. The USCG Maritime Intelligence Fusion Center for Pacific Area (MIFC-PAC) supports all of these 11 missions. MIFC-PAC focuses on priorities for the senior leaders and law enforcement chiefs to execute missions across the spectrum of operations. The

24/7 watch is at the heart of operations of MIFC-PAC which operates at the classified and unclassified levels, and it is reachable by any party at any time.

19. IUU fishing generally gets the most manpower within MIFC-PAC, with the focus being the safety and welfare of local fishermen and the long-term vitality of fish stocks. Transnational organised crime is the second focus area, as most of the drugs cases come into the US through land and maritime borders. Hence, effective intelligence and information sharing among the Intelligence Community and with international law enforcement partners is important to provide timely and relevant responses in support of national statutory missions.

20. Commander Michelle Toscan from the Maritime Border Command (MBC) of Australian Border Force also shared her views and mentioned that the MBC is a civil maritime security entity that focuses on maritime law enforcement, with the mandate to detect, deter and respond to eight types of maritime security threats in Australia's maritime domain. The Commander of the MBC reports both to the Commissioner of the Australian Border Force (ABF) and Chief of the Australian Defence Force.

21. Uniquely, Australia's MBC is not responsible for maintaining the vessels it operates. Instead, these assets are managed, supplied and crewed by the ABF and the Australian Defence Force. At an operational level, MBC utilises a Maritime Domain Intelligence Group, which gets together to share information from stakeholders across the Australian Intelligence Community. The information provided by the Maritime Domain Intelligence Group is used to plan on-water activities at the Maritime Domain Operations Group. This Group brings together the operational components of Australia's suite of law enforcement agencies to ensure coordinated operations against criminals and their syndicates.

22. The Australian Maritime Border Operations Centre is the identified single point of contact within MBC. It is staffed with officers from ABF, Australian Defence Force and Australian Fisheries Management Authority, who are co-located together to provide real-time information management for maritime operations or events.

23. Australia has a Maritime Powers Act, which enshrines common powers of enforcement across all the different maritime agencies and within a single Act. The Act enables maritime officers to perform common enforcement functions within the maritime space—such as quarantine, customs, immigration. The Act is based on a system of authorisations granted in real-time operational circumstances through identified channels of delegations. Authorisation is not limited to Australian nationals but can be cross-vested to other nations where it suits operational situations as is the example with French nationals undertaking enforcement activities on behalf of Australia.

## **SESSION 5 – BREAKOUT GROUP SESSIONS**

24. The Workshop conducted three Breakout Group Sessions to examine : a policy framework for a NMSPOC command centre to include potential missions, national authorities, agreements, responsibilities and agency participation; an operational framework for a NMSPOC command centre to include required standard operating procedures, manpower, information sharing and exercises; and a technical framework for a NMSPOC command centre to include policy and operational requirements, and basic information sharing protocols.

25. Each break-out group discussed the following themes in three sessions, namely, “What is in place at national, ASEAN and international levels; and what do we need?”; “Experiences and challenges”; and “Successes and moving forward”.

### **Break-out Session 1**

26. Participants shared their respective and current infrastructures in relation to maritime enforcement, which include the establishment of a National Committee for National Security as the lead agency for sea-related incidents by Cambodia; an inter-agency coordination group on an ad-hoc basis by China; a Maritime Security Agency which coordinates efforts between 14 ministries and maritime-related agencies by Indonesia; a Maritime Enforcement Agency which also conducts prosecution by Malaysia; a Maritime Law Enforcement Coordinating Centre with the Royal Thai Navy as the coordinator by Thailand; and a Coast Guard as the focal point for maritime enforcement by Vietnam.

27. Participants highlighted their experiences on agencies, types of activities and mechanisms involved; as well as challenges, including the lack of a shared system, fast development of new technology, and budget constraints. Participants identified several key elements to establish a NMSPOC, namely political will, policy, legislation and trust among agencies.

28. Participants identified three forms of NMSPOC, namely Post-Box NMSPOCs which requires standard operating procedures, 24/7 operational-level organization and direct liaison authority. Its challenges are language barriers and insufficient training. Coordinating NMSPOCs require additional elements of intelligence analysis or access to it; planning capability and maritime domain awareness, and has its challenges in the lack of authority to coordinate and speed to perform its functions. Thirdly, complete NMSPOCs require further elements of assets, authority and the ability to raise, train and sustain its personnel, and its challenge is the lack of funds to support its operations. Participants

also agreed that the simplest form of NMSPOC is for each country to establish a hotline for other countries to contact and relay information.

## **Break-out Session 2**

29. For the first theme, participants discussed and reached the following key take-aways:

- 30.1 the need to pursue a common information sharing protocol/platform especially on the classification of information which could be shared;
- 30.2 to identify a suitable information sharing legal instrument among agencies, bilaterally or multilaterally;
- 30.3 to address the significance for relevant parties to reach common ground in addressing issues despite differences in approaches;
- 30.4 to acknowledge the importance of rapid dissemination of information among the relevant agencies, particularly real time information; and
- 30.5 to acknowledge the significance of establishing personal relationships and expanding networking to counterparts within the NMSPOC.

30. For the second theme, participants agreed that :

- 31.1 there is no specific protocol which provides a list of minimum information that can be shared;
- 31.2 more awareness programmes on the importance of information sharing should be initiated;
- 31.3 it is more challenging for countries to cooperate on information sharing at the regional or international level; and
- 31.4 bilateral cooperation on information sharing is preferable than in the multilateral context.

31. Moving forward, participants acknowledged and provided suggestions on the following matters:

- 32.1 to have a better legislative framework to improve coordination among agencies, particularly information sharing down the chain of command. At the

regional/international level, countries need to decide on the proper information sharing legal instrument either bilaterally or multilaterally;

- 32.2 to ascertain the relationship between NMSPOC and existing information sharing networks such as INTERPOL to avoid redundancy;
- 32.3 to develop a clear protocol which sets out suitable information to be shared;
- 32.4 to synchronise a compatible platform for information sharing in the region i.e Seavision, Monalisa, ENAV, etc; and
- 32.5 to develop confidence building measures such as establishing a personal contact point or building relationships between counterparts. It was also proposed that more workshops/meetings should be held as a platform to have better engagement among counterparts.

### **Break-out Session 3**

32. Participants agreed that political will is the main driver of establishing a NMSPOC. It was also agreed that, ideally, a NMSPOC should be a one stop Maritime Situation/Capacity Building Centre at the operational level which reports directly to the Executive. The discussion was also directed towards the purpose of law enforcement, which is to deter law breaking, with an emphasis on preventive measures. In order to serve as an effective deterrent, the Centre serves to feed direct information that enables calibrated operations, to bust syndicates through comprehensive investigations, as well as laying the foundations for third party information gathering which will contribute towards successful convictions. Participants also agreed that no single agency can address maritime issues alone. NMSPOC can be the proposed solution for countries to establish inter-agency centres that operates from one site and coordinates intelligence-driven maritime security operations. In short, NMSPOC helps to create a synergy landscape where agencies share intelligence and map out organised crime networks through organised cooperation.

33. Participants agreed that there are gaps and overlapping jurisdiction in the implementation of NMSPOC which may result in a delay of actions to combat potential threats. There are other mitigating factors such as corruption and the lure for reward and compensation that compromises efforts to neutralise the threat in maritime security. Offering monetary reward for intelligence is akin to treating this crucial information as a commodity and may discourage the sharing of information. The inter-operability of equipment used by different agencies in corroborating information could be one of the



drawbacks in NMSPOC, and some participants gave feedback on the need to establish joint investigations to map out the crime after each case. This lack of post-mortem analysis could be addressed through the establishment of a NMSPOC. Participants agreed that a NMSPOC is needed in each country to ensure maritime security and build international linkages using shared information. The establishment of a NMSPOC can be tailored to address the need of respective countries to ensure its practicality at the national level.

34. Participants agreed that ASEAN Member States (AMS) should collaborate to better address maritime security issues and to have a Point of Contact in order to facilitate collaboration. This is to overcome the cross-border jurisdiction gap. Participants also concurred that collaboration between security agencies and third parties are imperative to ensure that enforcement efforts are effective as it enables parties involved to verify facts and information received, to ensure that the intelligence is authentic and accurate. The majority were in unison in stating that standardization is needed to promote greater cooperation between NMSPOCs, especially during cross-border operations. Standardisation in the terminology used, work processes, procedures and sharing of protocols is needed. It was also pointed out that NMSPOCs should also address the issue of equipment inter-operability. Different countries may have different equipment and procedure, which needs to be ironed out before a joint operation. All the parties involved in the operation needs to be in sync to enhance corroborated efforts by the NMSPOC and to ensure that joint operations lead to successful prosecution of the perpetrators.

35. Capt. Martin A. Sebastian RMN (R) from the Maritime Institute of Malaysia (MIMA) elaborated on the need to be a land-based interagency Maritime Situation Awareness Center. He advocated the need for a land –sea nexus to better understand the larger picture in maritime organized crime syndicates and that the NMSPOC could facilitate this requirement.

## **SESSION 6 – SENIOR LEADERS’ SEMINARS**

36. The Workshop also held three Senior Leaders’ Seminars which ran as a parallel program with the Breakout Group Sessions to facilitate discussions between the ARF Heads of Delegations. Dr. Chris Rahman facilitated the discussion for all three Seminars.

37. The first Seminar focused on the challenges to multilateral maritime security cooperation in the Asia-Pacific Region. Dr Chris Rahman’s key message was that existing political tensions do not preclude cooperation in maritime security matters. He highlighted the unique maritime challenges within the region as being reliant on maritime trade and activity to support economies. Participants identified that national resources to set up a

NMSPOC, combined with a lack of domestic political drive will challenge the ability of participatory nations to establish them. Participants also identified that a lack of mutual trust between nations due to competing maritime disputes and territorial claims will challenge the development of a NMSPOC.

38. In the second Seminar, the Heads of Delegations identified practical approaches to maritime security cooperation particularly on information-sharing and developing domain awareness. Dr Chris Rahman opened the session by presenting on the utility of participant nations in identifying maritime single points of contact and sharing Automated Identification System (AIS) tracking data of vessels as a potential starting point. Participants identified a number of existing bilateral agreements that enable effective information sharing to achieve maritime security awareness. Common maritime security interests within certain geographic regions drive these bilateral agreements.

39. The third Seminar served as a platform to discuss the way forward and develop a proposal for follow-up events. This proposal was presented to the full participation cohort during the wrap-up session. AMS arrived at the consensus that the need to streamline cooperation and coordination among agencies within the country itself is important in establishing an information sharing network. The NMSPOC concept itself is not new for most of the countries as agencies have formed cooperation and individual networks for information sharing. The way information is being shared among each other will form a regional NMSPOC.

40. On the types of information being shared i.e. AIS data, is subject to each country's discretion due to the fact that AIS itself is considered big data and beyond the control of one's country. It is hard to identify or pinpoint the kind of information from AIS that can be shared as AIS data cannot be taken at face value and each country has its own way in capturing and analysing information. The AMS also agreed that existing ASEAN mechanisms such as the AMF/EAMF should be utilised in tackling NMSPOC issues.

41. The Heads of Delegations recommended having a 3rd ARF NMSPOC Workshop to further define and identify the criteria of NMSPOC that will enable cooperation between national agencies, be it at national level or regional level. Participants suggested for the follow-up workshop to be held after the ASEAN Maritime Forum (AMF) and Expanded ASEAN Maritime Forum (EAMF), which will be held 6-7 December 2018. The agenda of the workshop will be formulated subsequent to these forums, with the outcome of this workshop and proposal of the follow-up workshop to be presented at the ARF ISM on Maritime Security which will be held in Vietnam in early 2019.

## **SESSION 7 – CONCLUSION AND CLOSING**

42. The Workshop expressed gratitude to Malaysia, the United States and Australia in co-chairing the 2nd ARF Workshop of National Maritime Single Points of Contact. They also thanked the Government of Malaysia for its generous hospitality and the excellent arrangements made for the Workshop.

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