



## CO-CHAIRS' SUMMARY REPORT

### 11<sup>th</sup> ARF INTER-SESSIONAL MEETING ON MARITIME SECURITY

Da Nang, Viet Nam, 14-15 March 2019

#### INTRODUCTION

1. The 11<sup>th</sup> ARF Inter-Sessional Meeting on Maritime Security (ISM on MS) was held in Da Nang, Viet Nam, on 14-15 March 2019. The Meeting was co-chaired by Mr. Vu Ho, Director-General, ASEAN Department, Ministry of Foreign Affairs of Viet Nam, Mr. Will Nankervis, Assistant Secretary, Indo-Pacific Strategy & Southeast Asia Regional Branch, Department of Foreign Affairs and Trade of Australia, and Ambassador Fransisco Fontan, Permanent Representative of the European Union (EU) to ASEAN.

2. The Meeting was attended by all ARF Participants except the Democratic People's Republic of Korea (DPRK), Mongolia, Myanmar, Papua New Guinea, and Sri Lanka. Representatives from the International Maritime Organization (IMO), the ARF Experts and Eminent Persons, as well as the ASEAN Secretariat were also present. The List of Participants appears as **ANNEX 1**.

#### OPENING SESSION

3. In his Opening Remarks, Mr. Vu Ho welcomed all participants to the 11<sup>th</sup> ARF ISM on MS and highlighted the role of the ARF as a platform for dialogue on maritime issues and to determine future maritime cooperation under the ARF framework.

4. In his Opening Remarks, Mr. Nankervis highlighted the emerging challenges in the maritime domain. He said the region's seas were becoming more congested and contested. Increases in militarisation and challenges to the international rules and principles that ensure good order at sea were of particular concern, along with a depletion of marine resources, deterioration of the maritime environment, and the use of porous maritime boundaries as a means to advance criminal agendas. In addressing these challenges, Mr. Nankervis urged all ARF Participants to seek new

ways to advance maritime security cooperation in line with the ARF Work Plan on Maritime Security 2018-2020.

5. In his Opening Remarks, Ambassador Fontan reiterated the EU's commitment in strengthening cooperation with ASEAN. He reiterated that maritime security is one of the key pillars of the EU's political-security agenda and the stability of Maritime Domain Awareness (MDA) posed great importance to the EU and in ensuring economic stability and security in the region. As such, Ambassador Fontan underlined the role of the ARF as a platform for confidence-building measures through capacity building and practical cooperation on key maritime issues in efforts to establish a rule-based, cooperative and peaceful maritime security atmosphere.

#### **AGENDA ITEM 1: ADOPTION OF AGENDA**

6. The Meeting adopted the Agenda, which appears as **ANNEX 2**.

#### **AGENDA ITEM 2: EXCHANGE OF VIEWS ON MARITIME SECURITY**

7. The Meeting exchanged views on various challenges relating to maritime security in the region, namely, maritime terrorism and transnational crime at sea, illicit drugs and human trafficking, piracy and armed robbery, natural disasters, Illegal, Unreported and Unregulated (IUU) fishing, illegal ship-to-ship transfer, maritime migration, waste management of plastic, marine debris, marine pollution as well as marine degradation. The Meeting noted that a range of lines of effort were underway to address these challenges under ASEAN-led frameworks. The meeting agreed the need to translate these existing lines of effort into action. Taking into consideration the complexities of the cross-cutting nature of these maritime challenges, the Meeting underlined the importance of close cooperation among the ARF Participants including trans-regional cooperation on intelligence, surveillance and information sharing, as well as coordinated patrols and other capacity building measures. The Meeting also welcomed the progress of maritime cooperation under other ASEAN-led frameworks with their own unique characteristics and complementary nature, as well as underlined the role of academics and Track II ARF Participants in contributing to the development of issues and future of maritime security in the ARF.

8. The Meeting welcomed the progress of formal negotiations between ASEAN and China on the Code of Conduct (COC) and looked forward to the tangible outcomes of the negotiation. The Meeting also reaffirmed the importance of maintaining and promoting peace, security, stability, safety and freedom of navigation in and overflight above the South China Sea and to uphold the norms and

international law including the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The Meeting took note of some concerns on land reclamations and activities in the area, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the region. In this regard, the Meeting also encouraged all relevant stakeholders to remain transparent and committed, to adhere to ASEAN's agreed principles and peaceful resolution of disputes as well as to exercise self-restraint, non-militarisation and avoid actions that may further complicate the situation in the South China Sea. The Meeting underscored the importance of the full and effective implementation of the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC) in its entirety and looked forward to the early conclusion of an effective and substantive COC.

### **AGENDA ITEM 3: COORDINATION, CONSULTATION AND SYNERGY BETWEEN REGIONAL MARITIME-RELATED FRAMEWORKS**

#### **3.1. Briefing/Stock-Take on Maritime-Related Initiatives in the Region**

9. The ASEAN Secretariat briefed the Meeting on the progress of maritime cooperation carried out by 12 ASEAN Sectoral Bodies across all three ASEAN Community pillars, including the ASEAN Ministerial Meeting, ARF, ASEAN Defence Ministers' Meeting (ADMM) and ADMM-Plus, ASEAN Ministerial Meeting on Transnational Crime (AMMTC), and the East Asia Summit (EAS). The ASEAN Secretariat's Information Paper on Maritime Security Cooperation in ASEAN and the presentation appear as **ANNEX 3 and 4**, respectively.

#### **3.2. Presentation on the Works of ADMM Ad Hoc Working Group on Guidelines for Maritime Interaction**

10. The Philippines briefed the Meeting on the outcomes of the *Ad Hoc* Working Group Meeting on the ADMM Guidelines for Maritime Interaction, that was held in Manila, the Philippines on 20-21 November 2018. The Meeting noted that the Guidelines aimed to establish a comprehensive and feasible maritime conflict management process to lower the risk of armed clashes arising from miscalculation or unintended escalation of disputes at sea. The Meeting also noted that the Guidelines were still under development, but once operational, would complement existing maritime platforms and initiatives, such as the ASEAN Direct Communication Infrastructure (ADI).

#### **3.3. Presentation on the Works of the 13<sup>th</sup>ADMM Experts Working Group on Maritime Security (EWG on MS)**

11. Singapore updated the Meeting on the progress of four key initiatives under the ADMM-Plus Experts' Working Group on Maritime Security (EWG on MS) for the

2017-2020 cycle under the co-chairmanship of Singapore and the Republic of Korea (ROK): (i) adoption of the Code for Unplanned Encounters at Sea (CUES) by all ADMM-Plus Countries; (ii) a milestone Field Training Exercise (FTX) from 29 April to 13 May 2019 to strengthen practical cooperation among ADMM-Plus navies; (iii) an ADMM-Plus Maritime Security Conference to be held in Singapore on 15 May 2019, in conjunction with the 6<sup>th</sup> International Maritime Security Conference during IMDEX Asia 2019; and (iv) the ADMM-Plus EWG on MS Future Leaders' Programme in the ROK, with the first phase having been held in Singapore in June 2018, which included seminars and visits to maritime agencies. The Meeting also took note that Singapore will host the 14<sup>th</sup> ADMM-Plus EWG Meeting on MS in early 2020.

### **3.4. Presentation on the Results of the 8<sup>th</sup>ASEAN Maritime Forum (AMF) and the 6<sup>th</sup> Expanded ASEAN Maritime Forum (EAMF)**

12. The Meeting was updated on the key outcomes of the 8<sup>th</sup>AMF/6<sup>th</sup>EAMF held in Manila, the Philippines on 6-7 December 2018. The Meeting noted that both the Forums exchanged views on emerging maritime issues and discussed ways to determine the future of both the AMF and the EAMF and their relations with other maritime-related ASEAN Sectoral Bodies. The Meeting also took note that Timor-Leste was present at the 6<sup>th</sup> EAMF as a guest of the Chair and the outcomes from these Forums were reported to the ASEAN SOM held in Chiang Rai, Thailand in March 2018.

### **3.5. Ways-Forward on Enhancing Coordination, Consultation and Synergy between Regional Maritime-Related Frameworks**

13. Noting the complexities and cross-cutting nature of maritime issues, the Meeting underlined the need to streamline these mechanisms to avoid duplication of effort between the relevant Sectoral Bodies. The meeting also agreed the need to leverage areas of existing cooperation and maintain an inclusive approach. The Meeting agreed to raise this issue and other outcomes of the 11<sup>th</sup>ARF ISM on MS at the upcoming ARF ISG of CBMs and PD to be held in Seoul, the Republic of Korea (ROK) on 3 May 2019 and for further discussion at the ARF SOM scheduled to be held in Thailand at the end of May 2019.

## **AGENDA ITEM 4: MARITIME SECURITY AND COOPERATION**

### **4.1. Trilateral Patrols in the Sulu Sea**

14. Malaysia briefed the Meeting on the Trilateral Cooperative Agreement (TCA) with Indonesia and the Philippines, which provides guidelines for conducting maritime and air patrols as well as information sharing and combined communications. The Meeting noted that a number of activities had been carried out

under the TCA, including rendering immediate assistance, hot pursuit, rendezvous at sea, enabling a transit corridor for merchant vessels, the deployment of liaison officers, and the launch of trilateral air patrols in Subang, Malaysia in October 2017. The Meeting further noted that a framework to operationalise the TCA had been discussed under the Indomalphi Joint Working Group Meeting on TCA in Cebu, the Philippines in December 2018 and in Yogyakarta, Indonesia on 18-19 March 2019 to discuss.

#### **4.2. SAGAR**

15. India briefed the Meeting on its contribution to the regional maritime domain by ensuring the security of maritime traffic and providing assistance to its neighbours through the establishment of surveillance patrols. India also informed the Meeting of the launch of the Information Fusion Centre – Indian Ocean Region (IFC-IOR) in Gurugram, India, in December 2018, which aimed to enhance MDA, collate, analyse and disseminate information relevant to maritime security, safety and humanitarian assistance and disaster relief, and establish links with other national agencies and multinational maritime stakeholders. The Meeting noted India's bilateral arrangements with other ARF Participants including its capacity building programmes, coordinated patrols, Exclusive Economic Zones (EEZ) surveillance, and joint hydrographic support.

#### **4.3. Maritime Security and Cooperation: Japan's Commitment for Peace and Stability**

16. Japan briefed the Meeting on its on-going efforts in maintaining maritime stability and safeguarding the seas through capacity building programmes including: (i) Defence equipment and technology cooperation; (ii) Transfer of vessels and capacity building by the Japan Coast Guard; and (iii) Infrastructure assistance provided by Japan's Official Development Assistance (ODA). The Meeting also noted Japan's efforts in providing equipment and human resources development for maritime law enforcement (MLE) in Southeast Asia, such as the provision of a total of 27 patrol vessels, 13 high-speed boats and 11 coastal monitoring radar equipment. Japan's presentation appears as **ANNEX 5**.

#### **4.4. China's Maritime International Cooperation**

17. China updated the Meeting on its ongoing efforts in maritime cooperation in ASEAN with the following highlights: (i) China's multilateral cooperation activities, such as the ARF Workshop on Regional Climate Change and Coastal Disaster Mitigation Workshop held in Tianjin, China on 1-2 November 2018; (ii) China's cooperation projects, such as the establishment of the China-ASEAN Maritime Cooperation Fund in the amount of RMB 3 billion in 2011, of which by the end of 2018, 11 ocean science and technology-related projects had been granted; (iii)

Bilateral cooperation activities with a number of ASEAN Member States; and (iv) Capacity building activities, including the Marine Scholarship of China, which aimed to provide financial support to outstanding students from coastal countries surrounding the South China Sea, as well as high-level training programmes and training courses for the ARF Participants. China's presentation appears as **ANNEX 6**.

#### **4.5. Code of Conduct Negotiation (COC)**

18. The Meeting welcomed the steady progress of the COC negotiations, commencing from the adoption of the framework for the COC, which served as a basis for formal negotiations on the COC, by the ASEAN-China Foreign Ministers at the Post Ministerial Conference+1 Session with China in August 2017, and the announcement of the start of the negotiations on the COC by the Leaders at the 20<sup>th</sup> ASEAN-China Summit in November 2017. The Meeting also noted that ASEAN and China had announced agreement on a Single Draft COC Negotiating Text (SDNT) at the PMC+1 Session with China in Singapore in August 2018. Moving forward, the first reading of the SDNT is expected to be completed by 2019.

#### **4.6. Technical Cooperation for Enhancement of Maritime Security**

19. The Meeting was updated on the IMO's technical cooperation programmes, which aimed to enhance maritime security through the development and socialisation of multilateral regulatory frameworks for the shipping industry that were fair and effective, universally adopted and universally implemented. The Meeting was also updated on the progress of the International Convention for the Safety of Life at Sea (SOLAS), which aimed to detect and deter acts that threatened security in the maritime transport sector. The Meeting further noted that under SOLAS, ships were required to have Ship Identification Number, Continuous Synopsis Record, Ship Security Alert System (SSAS), Automated Identification System (AIS), Long Range Identification and Tracking (LRIT) as well as provide the necessary contact information of the crews on board responsible for ship and port facility. Other frameworks that were touched upon included the International Ship and Port Facility Security Code (ISPS) and the Convention on the Suppression of Unlawful Acts against the safety of maritime navigation (SUA Convention). The IMO's presentation appears as **ANNEX 7**.

#### **4.7. Pacific Fusion Centre**

20. Australia briefed the Meeting on the establishment of the Pacific Fusion Centre, which will help to improve information sharing between national and regional law enforcement agencies. In line with the Boe Declaration on Regional Security adopted by the 49<sup>th</sup> Pacific Island Forum in Apia, Samoa in September 2018, the Centre will help improved information sharing to guide security responses. The

centre will fuse information from multiple sources, including Australia, to equip Pacific decision makers with the information they need to better identify and respond to security threats, such as illegal fishing, people smuggling and narcotics trafficking.

21. The Meeting noted that a technical feasibility study had been conducted in partnership with the Pacific Islands Forum Secretariat and UNODC to identify technical, legal, governance and stakeholder requirements for strengthening information sharing, and to develop options for effective information exchange and analysis. A Regional Reference Group had also been established with representatives from regional security organisations including the Pacific Islands Forum Fisheries Agency, Pacific Islands Chiefs of Police and the Pacific Community to provide guidance and advice on the design and establishment of the Centre. The Meeting also took note that the Centre would be established following the outcomes of the feasibility study and further consultation with Pacific partners on the design and establishment of the Centre. Australia's presentation appears as **ANNEX 8**.

## **AGENDA ITEM 5: SAFETY OF NAVIGATION**

### **5.1. Presentation on ASEAN Search and Rescue Standard Operating Procedures (SARSOP)**

22. Thailand briefed the Meeting on the progress of the SARSOP, which was approved by the 6<sup>th</sup> ASEAN Transport SAR Forum (ATSF) in Bangkok in 2018. The Meeting noted the role of the SARSOP as a guide for all participating countries in the coordination, communication and procedures for a SAR operation among the ASEAN Rescue Coordination Centres (RCCs). The Meeting also noted that the RCCs were responsible for determining the search area in which, when it also fell under the territories or in proximity with other RCCs, would be jointly determined as a common search area with other RCCs. Thailand's presentation appears as **ANNEX 9**.

### **5.2. Presentation on the Works of ASEAN Maritime Transport Working Group**

23. Singapore briefed the Forum on the outcomes of the 35<sup>th</sup> ASEAN Maritime Transport Working Group (MTWG) Meeting held in Singapore from 27 February to 1 March 2018, the 36<sup>th</sup> MTWG from 14 to 16 August 2018, and the 37<sup>th</sup> MTWG from 5 to 7 March 2019, which discussed the progress of implementation of the Kuala Lumpur Strategic Plan (KLTSP) 2016-2025. The Meeting also noted the key outcomes of the 24<sup>th</sup> ASEAN Transport Ministers Meeting (ATM) held in Singapore on 9 November 2018 and the adoption of the following documents: (i) The ASEAN Memorandum of Understanding (MOU) and Guidelines on the Improvement of

Safety Standards and Ship Inspection for Non-Convention Ships (NCS); and (ii) The ASEAN Regional Oil Spill Contingency Plan. The Meeting also noted that the ASEAN MTWG had discussed issues such as the ASEAN Single Shipping Market, Roll-On/Roll-Off Shipping Networks in ASEAN and inland waterway transport networks, a proposed green ship strategy, as well as joint hydro-graphic surveys of the Straits of Malacca and Singapore. The Forum further noted that the 38<sup>th</sup> MTWG would be tentatively held in Singapore in the Q3 of 2019.

### **5.3. Maritime Domain Awareness and Safety of Navigation**

24. Japan briefed the Meeting on the role of the Vessels Traffic Services (VTS) in enhancing MDA, particularly through monitoring of usual and unusual vessel movements. The Meeting also noted the role of sensors in supporting these activities by creating continuous and accurate maritime pictures, of which the sensors were applied in the forms of AIS, radar, or Closed-Circuit Television (CCTV). The Meeting also noted Japan's capacity building programmes for ASEAN through the development of VTS personnel and the establishment of VTS centres. Japan's presentation appears as **ANNEX 10**.

### **5.4. Managing Cyber Risks in the Shipping Industry**

25. The United States (U.S.) updated the Meeting on the potential cyber threats towards ships and other vessels and highlighted a number of factors that had caused shipping cyber vulnerabilities, such as insider threats, outdated communication systems and lack of awareness and training of the crews on-board. Given the importance of maritime to the region's trade and economy, the Meeting further noted that such vulnerabilities could greatly affect the international shipping routes, cause prolonged damage to port networks and critical infrastructure as well as transit disruptions hence affecting global interconnectivity as a whole. In addressing these challenges, the Meeting noted the following measures that might be applicable under the ARF framework: (i) Preventive actions such as awareness raising and enhanced implementation of the ISPS code; (ii) Detection, among others, through discussions on terrorists uses of the internet; and (iii) Responsive actions such as through the establishment of points of contact and examination of the land-sea nexus. The presentation appears as **ANNEX 11**.

## **AGENDA ITEM 6: MARINE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT**

### **6.1. Presentation on ASEAN Cooperation Working Group on Marine Environment**

26. The Meeting was updated on the outcomes of the 20<sup>th</sup> Meeting of the ASEAN Working Group on Coastal and Marine Environment (AWGCME) held in Phuket,



Thailand on 29-30 January 2019. The 20<sup>th</sup> AWGCME discussed and reviewed the implementation of coastal and marine related activities/initiatives under the AWGCME Action Plan, which included the following: (i) The nomination of Hat Chao Mai National Park and Mu KoLibong Non-Hunting Area (Thailand) and Mu KoAng Thong National Park (Thailand) as the 45<sup>th</sup> and 46<sup>th</sup> ASEAN Heritage Parks, respectively, for consideration of ASEAN Senior Officials on the Environment (ASOEN); (ii) The notation of completed/on-going/pipeline projects related to coastal and marine environment; and (iii) Reviewing and providing inputs to the draft outcome documents for the Special ASEAN Ministerial Meeting on Marine Debris (SAMM-MD), which was scheduled in Bangkok, Thailand on 5 March 2019.

## **6.2. Quieting Ships Initiatives**

27. Canada briefed the Meeting on the importance of quieting ships initiative, which contributed to the well-being and sustainability of the ecosystem and marine life, which had been greatly affected by underwater noise produced by maritime vessels. The Meeting took note of Canada's efforts in enhancing greater awareness towards this initiative, such as through exchange of information and technical workshop in collaboration with the IMO, sharing of knowledge on quiet ship designs and technologies, as well as providing guidance to ship builders, naval architects, policy makers and other maritime stakeholders.

## **6.3. Marine Plastic Debris**

28. The Meeting was briefed on Indonesia's efforts in addressing the threat of marine pollution and marine plastic debris, which had brought negative impacts to the economy and well-being of its people. In dealing with marine litters, the Meeting took note of the issuance of a Presidential Decree in 2017, which had set out a target to reduce waste by 30% and to handle waste properly by 70% of total waste generation in 2025. Indonesia has also enacted several laws and regulations, developed a roadmap of producers' waste reduction program and a National Plan of Action to Combat Marine Debris, as well as integrated the issue of marine plastic debris into the curriculum of its national education.

## **6.4. Maritime Domain Awareness Technology**

29. The U.S. briefed the Meeting on the development of technology in the MDA, which could help MLE agencies tackling existing challenges e.g. IUU Fishing. The Meeting took note of the introduction of a software, that was able to detect illegal fishing boats and the type of fishing activities that were occurring based on their electric lighting by using low light imaging data that were collected at night. The Meeting also noted that this technology could enhance the works of existing maritime single points of contacts in the ARF Participating Countries mandated to monitor maritime environments. The U.S.' presentation appears as **ANNEX 12.**

## **6.5. Thailand's Policy on IUU Fishing**

30. The Meeting was updated on Thailand's efforts to combat IUU Fishing and welcomed the lifting of a yellow card for Thailand by the EU, which marked the substantive progress made on this issue. The Meeting noted Thailand's ongoing efforts, which included complete overhaul of the legislation on fisheries and fishing vessels, putting in place effective monitoring, control and surveillance systems, implementing credible traceability as well as enhancing law enforcement. The Meeting also noted that these approaches were carried out in parallel with the improvement of Thailand's labour protection standards in the fisheries sector, such as through the ratification of the Protocol of 2014 to the Forced Labour Convention and the ratification of the Work in Fishing Sector Convention. On the institutional aspect, the Meeting noted that Thailand had established the Command Center for Combating Illegal Fishing (CCCIF) in May 2015, which was tasked to coordinate with relevant agencies to advance the efforts of the Royal Thai Government in combatting IUU Fishing. The Meeting also took note that Thailand's effort was in line with the theme of its ASEAN Chairmanship in 2019 "Advancing Partnership for Sustainability", which included sustainable fisheries and sustainability of the oceans.

## **AGENDA ITEM 7: OUTCOMES OF AND UPDATES ON ARF ISM ON MS ACTIVITIES DURING THE INTER-SESSIONAL YEAR 2018-2019**

### **7.1. Outcomes of the 2<sup>nd</sup> ARF Workshop on National Single Points of Contact (SPOC)**

31. The Meeting noted the outcomes of the Workshop held in Kuala Lumpur, Malaysia on 27-29 August 2018, which was co-chaired by Malaysia, Australia and the United States. The Workshop discussed the significance of SPOCs to the ARF Participants in carrying out their national and regional maritime security cooperation, promote efficiency in resource allocation, as well as maximise the potential of limited assets. The Workshop also exchanged views on the current development of existing SPOCs among the ARF Participants and identified the challenges, such as the lack of effective and timely information sharing among agencies. The Meeting also noted that a Table-Top Exercise (TTX) was conducted as a part of the Workshop, wherein the ARF Participants simulated an information fusion process between relevant stakeholders involved in the scenario used during the exercise.

### **7.2. Outcomes of the ARF Workshop on Regional Climate Change and Coastal Disaster Mitigation**

32. The Meeting noted the outcomes of the Workshop held in Tianjin, China, on 1-2 November 2018, which was co-chaired by Thailand, Australia and China. The Workshop discussed the threats posed by climate change and coastal disasters and provided a valuable opportunity for collaboration and information sharing on best-practice in climate risk mitigation and adaptation techniques. The Workshop also exchanged views on the ARF Participants' best practices on these issues and underlined the necessity of enhancing capacity in research and studies focusing on the impact and risk assessment of climate change and extreme weather. The Workshop also underlined the importance of scientific findings on climate change and stressed the need for properly communicating such findings to the public and decision makers. China's presentation appears as **ANNEX 13.**

### **7.3. Outcomes of the 2<sup>nd</sup>ARF Workshop on Ferry Safety**

33. China and the Philippines briefed the Meeting on the outcomes of the Workshop held in Guangzhou, China on 26-28 November 2018. The Workshop exchanged views on the ARF Participants' efforts in strengthening ferry safety management and promoting safety culture and fit-for-purpose vessels. The Workshop identified a number of causes of ferry incidents, assessed the impacts of ferry incidents to marine environment and discussed new technologies applicable to the ARF Participants' current ferry management. China's presentation appears as **ANNEX 14.**

### **7.4. Outcomes of the ARF Workshop on Implementing UNCLOS and other International Instruments to Address Emerging Maritime Issues**

34. Viet Nam and Australia briefed the Meeting on the outcomes of the Workshop held in Nha Trang, Viet Nam, on 26-27 February 2019. The Workshop provided a platform for experts and practitioners to exchange ideas and discuss regional implementation of the UNCLOS and other international instruments related to the law of the seas. The Workshop also identified the ways and means to move forward through information sharing, engaging all stakeholders and better coordination among existing regional frameworks, while maintaining ASEAN Centrality, as well as discussed the possibility of developing an ASEAN Comprehensive Masterplan on Maritime.

### **7.5. Outcomes of the 2<sup>nd</sup>ARF Workshop on Enhancing Regional Maritime Law Enforcement Cooperation**

35. The Meeting noted the outcomes of the Workshop, which was held back-to-back with the 11th ARF ISM on MS on 11-12 March 2019 and co-chaired by Viet Nam, Australia and the European Union. The Workshop discussed a number of issues, including: (i) Updates on sub-regional and regional MLE agencies

cooperation among ARF Participants; (ii) Updates on guidelines and codes of conduct to help guide safe and professional conduct at sea (iii) Ways and means to promoting MLE cooperation to address emerging maritime challenges such as IUU Fishing, transnational crimes at sea, and inadequate waste management at sea; and (iii) Identification of challenges in regional MLE agencies cooperation, including inter-agency coordination, existing maritime and territorial disputes, different institutional arrangements, and lack of awareness on the importance of land-sea nexus in tackling maritime threats. The Workshop agreed to three key outcomes. Firstly, the Workshop agreed to hold a third ARF workshop on Enhancing Regional Maritime Law Enforcement Cooperation in the 2019-2020 inter-sessional year to continue the conversation in this area. Secondly, the Workshop agreed to build on the results of the EEP Working group on lessons learnt and best practice regarding prevention and management of incidents at sea, and seek endorsement to establish an online working group to develop an ARF Guidelines for Preventing and Managing Incidents between Maritime Law Enforcement units, with the aim to complete this document in 2020. Thirdly, the Workshop agreed to build an informal road-map for continuing enhancing regional maritime law enforcement within the ARF beyond 2020..

#### **7.6. Updates on the ARF Workshop on Marine Debris Management for Sustainable Fisheries and Food Security in Southeast Asia**

36. The Meeting took note that the Workshop would highlight the effect of marine plastic pollution on coastal and regional fisheries and aquaculture and provide a platform for the ARF Participants to exchange views on best practices and opportunities for regional cooperation to preserve marine environment and ensure long-lasting sustainable fisheries. The Meeting further noted that the Workshop would be held in NhaTrang, Viet Nam, on 13-15 May 2019 and co-chaired by Thailand, Viet Nam and the U.S.

#### **7.7. Updates on the ARF Workshop on Maritime Law Enforcement Promoting Comprehensive Approach to Address Maritime Crimes**

37. No further updates were delivered at this Meeting.

#### **7.8. Updates on the ARF Workshop and Table-Top Exercise (TTX) on Enhancing Law Enforcement, Preventive Measures and Cooperation to Address Complex Issues in the Fisheries Sector**

38. Indonesia updated the Meeting on the upcoming Workshop and TTX, which would provide a platform for the ARF Participants to share their experiences, expertise and perspectives on appropriate case studies on crimes throughout the supply and value chain of fisheries. The Meeting noted that the Workshop would be held in Bali, Indonesia, on 26-28 June 2019 and co-chaired by Indonesia and the U.S.

39. Indonesia also took the opportunity to brief the Meeting on the outcomes of the ARF Workshop of Maritime Data Analysis that was held in Bali on 17-19 July 2018 and co-chaired by Indonesia and the U.S. The Workshop discussed existing regional platforms for effective maritime data information and future means to collaborate in the sharing of maritime data information and best practices. On the way forward, the Workshop recommended the strengthening of communication and coordination among the relevant maritime stakeholders as well as increased discussions, trainings, and study cases based on the ARF Participants' best practices and experiences.

## **AGENDA ITEM 8: NEW PROPOSALS**

### **8.1. 3<sup>rd</sup>ARF Workshop on Enhancing Regional MLE Enforcement Cooperation**

40. Viet Nam, Australia and the EU proposed to convene the 3<sup>rd</sup> iteration of the Workshop in Europe in 2020, the 1<sup>st</sup> Workshop was held in Nha Trang, Viet Nam in January 2018 and the 2<sup>nd</sup> Workshop held in Da Nang, Viet Nam in March 2019. The Meeting noted that the 3<sup>rd</sup> Workshop would focus on areas discussed at the first two workshops, including ways to address land-sea nexus and harness new technologies to assist MLE agency operations. The workshop will also exchange views on a possible ARF MLEA incident prevention and management guidelines, which has yet to be drafted. The Concept Paper appears as **ANNEX 15.**

### **8.2. 2<sup>nd</sup>ARF Workshop on Enacting UNCLOS and other International Instruments to Address Emerging Maritime Issues**

41. Viet Nam and the EU proposed to convene the 2<sup>nd</sup> iteration of the Workshop, with the objectives to update participants on recent developments and the implementation of UNCLOS provisions and associated frameworks as well as identify specific regulatory gaps in the region with a focus on maritime security and environmental cooperation. The Concept Paper appears as **ANNEX 16.**

### **8.3. 2<sup>nd</sup>ARF Workshop on Maritime Domain Awareness**

42. Viet Nam and Japan proposed to convene the 2<sup>nd</sup> iteration of the Workshop, which would focus on concrete areas of interests identified in the 1<sup>st</sup> Workshop held in Tokyo in March 2018, namely, piracy and armed robbery against ships, IUU Fishing as well as maritime terrorism. The Workshop will also aim at enhancing the ARF Participants' understanding on their MDA capabilities to address maritime challenges. The Concept Paper appears as **ANNEX 17.**

### **8.4. 3<sup>rd</sup>ARF Workshop on Ferry Safety**

43. China proposed to convene the 3<sup>rd</sup> iteration of the Workshop following the conclusion of the 1<sup>st</sup> Workshop in Guangzhou, China in December 2017 and the 2<sup>nd</sup> Workshop in Guangzhou, China in November 2018. The 3<sup>rd</sup> Workshop will focus on identifying the root causes of accidents and casualties, discuss new technologies relevant to ferry safety, as well as formulate a comprehensive and integrated management and establish a platform for experience sharing and regional cooperation on ferry safety. China announced that it was seeking the support of an ASEAN Co-Chair. The Concept Paper appears as **ANNEX 18**.

#### **8.5. Concept Paper on ARF Guidelines for Preventing and Managing Incidents between MLE Agencies**

44. The Australian co-chair of the ARF's Experts and Eminent Persons Working Group on Preventing and Managing Maritime Incidents, Professor Sam Bateman briefed the Meeting on the Concept Paper on ARF Guidelines for Preventing and Managing Incidents between Maritime Law Enforcement (MLE) Agencies, which was being co-sponsored by Viet Nam, Australia and the EU as the Co-Chairs of the ISM on MS. The proposal, which aims to establish an online working group comprising of representatives from the ARF Participating Countries to develop a non-binding and voluntary set of Guidelines to be utilised between MLE vessels. The meeting noted that this initiative was previously recommended by the 11<sup>th</sup> ARF Experts and Eminent Persons Meeting in March 2017, noted by the 24<sup>th</sup> ARF in August 2017 and discussed at the 2<sup>nd</sup> ARF Workshop on Enhancing Regional MLE Cooperation. The meeting further noted that Ministers have called for the development of such guidelines on several occasions, most recently in the 2016 ARF Ministerial Statement on Enhancing Cooperation among Regional Maritime Law Enforcement Agencies. The Concept Paper and Australia's presentation appear as **ANNEX 19 and 20**, respectively.

#### **8.6. ARF Workshop: Dispute Resolution and Law of the Sea**

45. Australia and Timor-Leste proposed to host a workshop on dispute resolution and the law of the sea with the following objectives: (i) Examine and discuss various avenues for dispute resolution under international law; (ii) Explore the conciliation between Timor-Leste and Australia and outline the operation of the conciliation process under Article 298 and ANNEX V of UNCLOS; and (iii) Exchange views on emerging issues in dispute resolution in the region. The Meeting also took note that Australia and Timor-Leste were seeking an ASEAN Co-Chair. The Concept Paper appears as **ANNEX 21**.

#### **8.7. National Maritime Points of Contact Directory**

46. The U.S. proposed to convene a Workshop to seek and discuss ways to increase interoperability of the ARF Participants and promote actual information

exchange and administrative coordination by developing a national maritime points of contact directory. The points of contact will involve those engaged in maritime-related affairs such as, but not limited to, fisheries, port security and MLE agencies. The Workshop will also discuss how to structure an ASEAN National Maritime Single Point of Contact. The U.S. is seeking an ASEAN Co-Chair. The Concept Paper appears as **ANNEX 22**.

#### **8.8. International Ship and Port Facility Code Training Series and Manual**

47. The U.S. proposed to convene a Workshop to increase the ARF Participants' understanding and implementation of the requirements under the IMO's SOLAS Convention on the ISPS. The Workshop will also identify compliance drills and exercises and provide resources for technical assistance, as well as build a National Maritime Point of Contact coordination through better communication and information sharing protocols among relevant maritime stakeholders. The Concept Paper appears as **ANNEX 23**.

#### **AGENDA ITEM 9: OTHER MATTERS**

48. No other matters discussed at the Meeting.

#### **AGENDA ITEM 10: CLOSING REMARKS**

49. The Co-Chairs thanked all ARF Participants for their contribution and constructive discussions at the Meeting and urged the ARF Participants to finalise their proposed activities and complete their co-chairmanship ahead of the ARF ISG on CBMs and PD in Seoul, the ROK on 3 May 2019. The Co-Chairs also encouraged for more frequent discussions among the ARF Participants based in/accredited to ASEAN in Jakarta on maritime security-related issues in the ARF.

#### **ACKNOWLEDGEMENT**

50. The Meeting commended the Co-Chairs for the effective chairmanship and to Viet Nam for the excellent arrangements made for the Meeting and the warm hospitality extended to all ARF Participants. The Co-Chairs wish to acknowledge the assistance of the ASEAN Secretariat in facilitating the Meeting.

**ISSUES TO BE FOLLOWED UP**

<b>No.</b>	<b>Key Decision/Issues</b>	<b>Timeline</b>	<b>Follow-up By</b>
1.	To finalise the co-chairmanship of proposed activities for the ARF Inter-Sessional Year 2019-2020	Prior to the 26 <sup>th</sup> ARF	Proponent of the Activities
2.	To provide inputs to the proposed Concept Papers for activities to be implemented in the ARF Inter-Sessional Year 2019-2020	Prior to the ARF ISG on CBMs and PD	ARF Participants

■ ■ ■