

Addressing maritime security threats through international cooperation: the opportunities and risks of forum shopping

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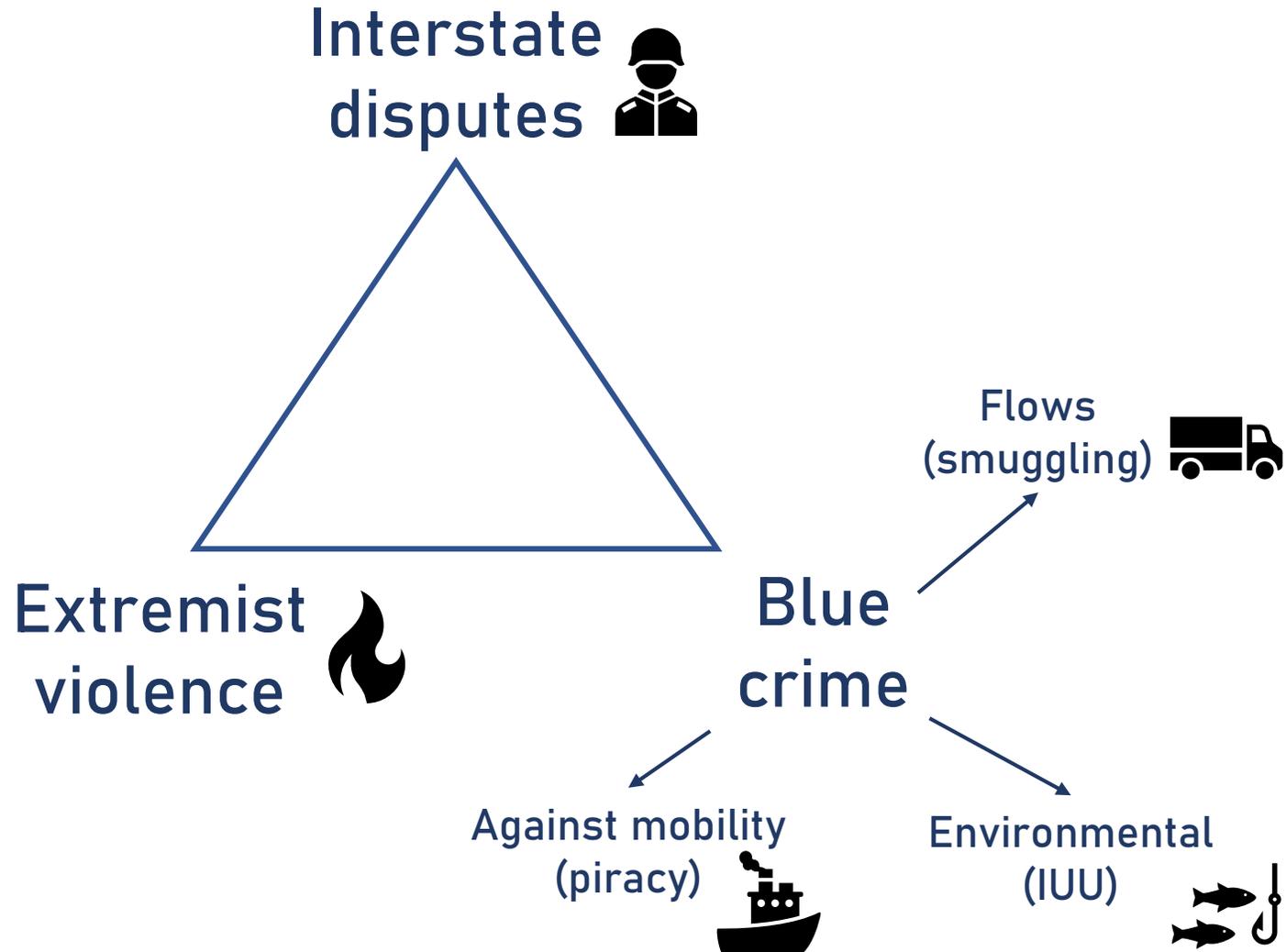
Overview

- Questions:
 - How has maritime security cooperation evolved historically?
 - What are the implications of the growth and fragmentation of maritime security arrangements?
- Format
 - A short history of maritime security
 - Forms of cooperation
 - Proliferation of arrangements
 - The risks of forum shopping and overlap
 - Summary

What is maritime security?

- A recent agenda (late 1990s) linked to piracy
- A re-evaluation of the importance and security of the oceans
- A nascent field of research and risk analysis
- An attempt to link issues and develop a holistic understanding of security at sea
- A diverse and contested concept: What to include?
How different from naval strategy, national security, blue economy?

Maritime Security – 3 dimensions



Read: Bueger, Christian & Tim Edmunds 2020. Blue Crime: Conceptualising Transnational Organised Crime at Sea, Marine Policy 119, 104067.

The evolution of maritime security: 6 major periods

- 1950s-1982: Decolonization and the Cold War
- 1980s and 1990s: New hegemon and new problems
- 2000-2008: Maritime Terrorism
- 2008-2012: The golden age of modern piracy
- 2012 – 2020: The holistic maritime security age
- 2020 - ?: Geopolitics and the anthropocene

1950s to 1982: Decolonization and the Cold War

- **Decolonization:** New actors with maritime claims
- **Containerization** accelerates global shipping and trade
- **Advanced fishing and navigation** allows for long distance fishing
- Technologies for offshore **resource exploitation** (fossils)
- Bipolar system/**Cold war** lead to quest for naval dominance
- **Nuclear weapons** at sea
- **Main concerns**
 - **Inter-state disputes** over resources and dominance
 - Undetermined marine **boundaries**
 - **Global maritime regime**
- **Breaking point:** Conclusion of UN Convention of the Law of the Sea (1982)

1980s and 1990: Policing the Environment

- **Naval dimension of peacekeeping** (Iraq 1991, Somalia 1992)
- Overexploitation and pollution raise **environmental concerns**
- **Unipolarity.** US as the single naval hegemon
- **Piracy in Southeast Asia** seen as a regional problem
- **Main concerns**
 - **Policing the sea**
 - **Environmental regulation in international and regional regimes**
 - **Piracy in particular regions**

2000-2008: Terrorism

- **First major maritime terrorist attack (USS Cole, 2000)**
- **9-11 heightens fear over maritime attacks**
- **Non-Proliferation Initiative** and container control
- **ISPS Code and Port Security**

- **Main concerns**
 - **Terrorism at sea**
 - **Link between piracy and terrorism**
 - **Smuggling of WMD**
 - **Regional MDA (ReCAAP, IFC)**
 - **First concerns over Somali Piracy (2005)**

2008-2012: Piracy

- **Somali piracy becomes an uncontrollable problem** and UN Security Council involved
- Multi-lateral, global response (**Contact Group, SHADE**)
- New cooperation between shipping industry and states
- Piracy in Nigeria escalates and is recognized by UNSC
- Rise of private security at sea

- **Main concerns**
 - **Somali piracy**
 - State failure and piracy
 - Environmental degradation and piracy

2012 – 2020: Holistic Maritime Security age

- Somali **piracy** under control, but concerns in GoG and SEA continue
- Mediterranean **migration crisis**
- New **heroin smuggling** routes at sea (Afghanistan)
- Proliferation of **maritime security strategies and integrated national and regional governmental initiatives**
- **Illicit fishing** becomes a major concern
- **Main concerns**
 - **Holistic interconnected understandings** of maritime security
 - Diverse threats
 - Maritime Security Strategies
 - **Information sharing and MDA proliferates**
 - Promulgation through Capacity building

2012 – 2020 -? : A new age

- Dual trend: Spheres of influence and planetary thinking
- Geopolitical thinking implies militarization of marsec
- Growing emphasis on inter-state dimensions and critical infrastructures (e.g. cables)
- Climate change and biodiversity agenda influence marsec
- Operational consequences for MLE: floodings and storms
- New MLE tasks: beyond paper parks.
- **Implications for MDA and institutional arrangements?**

Forms of international cooperation

- No central global or regional institutions have emerged
- Dispersed network of centers, forums and agreements
- Forms:
 - Issues specific (e.g. ReCAAP) vs. holistic (e.g. IFC)
 - Informal (e.g. CGPCS, SHADE) vs. formal (ASEAN)
 - Information sharing/MDA; naval; diplomatic; capacity building
- Proliferation of arrangements overall: Survey results: 110 in Indo-Pacific, 54 in Southeast Asia
- **What's problematic?**

Fragmentation and complexity

- No standardization of reporting and classification
 - Competing numbers
 - Selective reporting, under-reporting due to burden
- Forum shopping
 - Actors work in the forum they prefer
 - Undermines international rules and stronger enforcement
- Overlap and Duplication
 - Competitive efforts
 - Short-termism, long hanging fruits
- Informalization
 - Effective, but fragile

Summary

Marsec is a history of changing priorities

Arrangements have proliferated

Complexity and fragmentation entail risks

Work towards standardization, transparency and consistency



Further readings

- Bueger, Christian. 2022. Making and breaking waves: The evolution of global maritime security thinking, in Proceedings of 2022 Indo-Pacific Sea Power Conference, Sydney: Sea Power Centre of the Royal Australian Navy,
- Bueger, Christian and Tim Edmunds. 2020. Blue Crime: Conceptualising Transnational Organised Crime at Sea, *Marine Policy* 119, 104067.
- Bueger, Christian. 2015. From Dusk to Dawn? Maritime Domain Awareness in Southeast Asia, *Contemporary Southeast Asia* 17(2): 157-182.
- Edwards, Scott. 2022. “Fragmentation, Complexity and Cooperation : Understanding Southeast Asia’s Maritime Security Governance.” *Contemporary Southeast Asia* 44 (1): 87–121.