



G7 High-level Meeting on Maritime Security:
Enhancing Maritime Security – Connecting Regions – Governing the Commons

Berlin, 14 December 2015

CHAIR'S SUMMARY

The world's oceans are “connecting spaces” that are vulnerable to threats yet offer great potential. In the Lübeck Declaration on Maritime Security of 15 April 2015, G7 Foreign Ministers addressed challenges related to maritime security in an in-depth and comprehensive manner for the first time. G7 leaders endorsed the Declaration at their summit in Elmau in June 2015.

A G7 High-level Meeting on Maritime Security (entitled “Enhancing Maritime Security – Connecting Regions – Governing the Commons”) with over 100 participants representing G7 states, outreach states, international organisations and civil society was held in Berlin on 14 December 2015. The aim of the meeting was to identify concrete next steps to translate the Lübeck Declaration into action, to improve governance of the maritime domain and to inject impetus into new forms of cross-sector and interregional cooperation with a view to enhancing maritime security.

By way of dedicated roundtables, the conference covered four major and interrelated dimensions of maritime security, each of which features prominently in the G7 Lübeck Declaration. The roundtable findings and propositions for joint action are summarised below. Germany wishes to highlight the following key messages, which are crucial not only for the four selected and highly relevant subject areas covered by the roundtables, but also for advancing maritime security as a whole. The discussion on maritime security in the G7 is to be continued during Japan's presidency in 2016.

- Safeguarding maritime security is an inter-agency challenge that requires political, regional, military, civil and inter-sectoral cooperation. Stronger institutions at the national, regional and global level are required.
- Where necessary, the existing international legal framework should be strengthened and its implementation and enforcement should be improved. In general, UNCLOS provides a comprehensive approach to the peaceful settlement of disputes. Its flexibility should be preserved.
- Regional organisations and initiatives play a central role in safeguarding maritime security. They require appropriate support from national as well as international actors.
- Strengthening confidence- and trust-building mechanisms is vital – not least as a basic precondition for information-sharing.

- The international community should assist states through capacity-building and technology transfer.
- Further elaborating the link between maritime security and the blue economy is vital for promoting security at sea.
- The G7 can and should play a role in strengthening all these aspects of maritime security. This may include joint diplomatic outreach, the encouragement of voluntary action and fostering the dialogue among maritime security institutions. It may also contribute to the discussion on the global maritime security architecture.

ROUNDTABLE FINDINGS

Roundtable experts assessed the challenges at hand and recommended the following actions:

Roundtable 1

Towards situational awareness and surveillance of the global maritime domain – next steps?

- Information-sharing depends on a proper legal framework, technical preconditions and, most importantly, the human factor. In other words, confidence-building is of the essence. Only on a voluntary basis can information-sharing function in a sustainable way. There is need for a flexible, soft, non-binding and inclusive approach to building the required infrastructure.
- Capacity-building is key. There is still room for improvement when it comes to the establishment of focal points. These focal points will serve as first contacts. They are entry points to a different system. All stakeholders of a given entity must be on board. The focal point system must bridge inter-sector and inter-organisational lines.
- We must learn from regional experience. A global system should be developed step by step, starting at the regional level. The creation of a network of networks appears to be a promising approach. SHADE (Shared Awareness and Deconfliction in the Mediterranean) and ReCAAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia) may serve as examples. The G7 should support existing regional initiatives in the maritime domain.
- The G7 should continue to work on this important issue, in particular on strengthening the existing international legal framework and its implementation. The G7 can be tasked with strengthening the international legal system. At some stage, it may be worthwhile to consider carrying this initiative to the United Nations.

Roundtable 2

Peaceful dispute settlement in the maritime domain: The role of international law, negotiations and dialogue

- Generally speaking, UNCLOS provides a comprehensive approach to peaceful dispute settlement, ranging from diplomatic settlement (bilateral negotiations) to involving a

third party, including the International Tribunal for the Law of the Sea, the International Court of Justice or an arbitral tribunal. While parties to a dispute often prefer bilateral negotiations, arbitration may be another useful approach if bilateral negotiations do not resolve the dispute.

- Involving a third party may be beneficial for various reasons, for example if the parties in dispute cannot “sell” bilateral negotiations domestically (e.g. the Bangladesh-Myanmar maritime dispute).
- Guiding principles for all approaches are preservation of peace, the rule of law and cooperation.
- Bilateral negotiations do not always take into consideration that the settlement of the dispute at hand can have important regional or even global implications/ramifications, while international adjudication does – for example, what constitutes an island, rock, etc. (adjudication on the South China Sea will have global ramifications).
- Regional organisations can either facilitate negotiations or contribute to crisis management. In Southeast Asia, there is a web of overlapping organisations – ASEAN (+), the East Asia Summit, the ASEAN Regional Forum and the ASEAN Defence Ministers Meeting (+) – that plays a role in keeping communication channels open.
- In some cases, it is possible to shelve the contested issue (i.e. boundary delimitation) by agreeing on cross-border collaboration (e.g. the Ems-Dollart Treaty between the Netherlands and Germany). In other cases, this is not possible and boundaries need to be defined, e.g. to handle illegal fishing or environmental issues.
- Maintaining the greatest possible flexibility as provided by UNCLOS is crucial.

Roundtable 3

Preventing illegal, unreported and unregulated (IUU) fishing

The G7 Foreign Ministers, at their meeting in April 2015, committed to strengthening efforts aimed at preventing illegal, unreported and unregulated (IUU) fishing. Global IUU fishing extraction is estimated to be worth between 10 and 23 billion US dollars (11-26 million tonnes) annually. IUU fishing is often linked with the smuggling of humans, drugs and weapons, as well as the usage of slave labour. IUU fishing affects maritime security, the economic wellbeing and food security of coastal states, the sustainability of fish stocks and biodiversity more generally.

Countering IUU activities depends on improved maritime governance and enforcement at all levels. In this context, the ability and willingness of states to share relevant information and to harmonise their measures are the factors with the largest positive impact potential. Experts in roundtable 3 therefore focused on two instruments that would take such multilateral approaches forward, namely a global record of fishing vessels, refrigerated transport vessels and supply vessels (“Global Record”) and the 2009 FAO Port State Measures Agreement (PSMA), which has not yet entered into force.

Roundtable 3 experts recommended that G7 foreign ministries, based on the commitment by their ministers, take the following five actions:

- **Recommendation 1:** Continue their political support for strengthening efforts against IUU fishing in view of its detrimental effects. A follow-up to the roundtable in order to assess progress is considered to be helpful.
- **Recommendation 2:** Undertake joint G7 diplomatic outreach to IMO member states, seeking their support for the Global Record and for extending, to all fishing vessels, the mandatory requirements for IMO numbers and tracking already in place for merchant vessels. Making the future Global Record mandatory should also be considered.
- **Recommendation 3:** Invite their respective line ministry colleagues to consider national contributions to set up a Global Record, both in budgetary terms and by supplying, through their competent national agencies, fishing fleet data with a view to testing a pilot FAO Global Record system in practice.
- **Recommendation 4:** Advocate the accession and ratification of the Port State Measures Agreement in bilateral and multilateral meetings. The PSMA must now be ratified by only ten further countries in order to enter into force. Entry into force will curb IUU fishing, strengthen maritime governance and contribute to the stability and economic wellbeing of coastal states.
- **Recommendation 5:** Once the PSMA enters into force, encourage, in meetings with states not yet party to the PSMA, their cooperation with PSMA parties by voluntarily applying some of the PSMA provisions, such as data requests and the sanctioning of IUU fishing vessels under their jurisdiction. Such voluntary action would boost the positive impact of the agreement and, by extension, maritime governance.

Roundtable 4

Networking maritime security in the Indian Ocean and beyond – potential for interregional cooperation

- The fight against piracy is not over yet. Both the Gulf of Guinea and the situation in the Gulf of Aden will require continued attention and sustained efforts on the part of the international community. The regional maritime security architecture in both regions will need to be strengthened.
- In this context, the participants welcomed Germany's readiness to spend one million euros in order to furnish and equip three Maritime Coordination Centres, thus helping to fully implement the maritime security architecture laid down in the Yaounde Process. The participants equally welcomed the efforts of the government of Togo in preparing the Lomé Summit on maritime security and development. In particular, the Lomé Summit of the African Union to be held next year will be an important milestone for African maritime security and for ensuring that all forms of maritime crime in the continent's waters will be effectively addressed.
- If maritime security requires better cooperation between states, confidence- and trust-building mechanisms, in particular at the regional level, are the key. There is clear evidence of the importance of mechanisms that include, but are not limited to, informal governance processes, such as the Contact Group on Piracy off the Coast of Somalia, Codes of Conduct, such as those signed in Djibouti and Yaounde, joint exercises, intra-regional transfer of skills and technology, through capacity-building, training, education

and research. These mechanisms should be strengthened to build regional maritime security communities.

- Maritime security does not have a clear institutional home. It is an inter-agency challenge and requires military-civil and inter-sector cooperation. Stronger institutions at the country, regional and global level are required. Moreover, there is also the need to better clarify the roles and responsibilities of each level. While country ownership is vital, maritime security is a transnational challenge, and many states will require assistance through capacity-building and technology transfer from the international community. The G7 will continue to play an important role in driving the discussion on the global maritime security architecture forward and in clarifying the rules and responsibilities of different national, regional and global institutions.
- The Lübeck Declaration already highlighted the importance of the world's oceans for economic prosperity. Further elaborating the link between maritime security and the blue economy concept, the pursuit of a sustainable ocean-based economy, could lead to an even more comprehensive approach to maritime security. Recognising the economic potential of the sea will enable the problem known as "sea blindness" to be addressed and will help to present a convincing case to national publics, governments and states, including landlocked states, that maritime security is a priority area that requires investment and the will to cooperate.
- The participants welcomed the strong leadership of the G7. The Lübeck Declaration constituted an important step for the discourse on maritime security. It was, however, emphasised that, if the 21st century is a maritime century, the current discussion can only be the beginning. Sustained efforts especially on elaborating the future of the global maritime security governance architecture will be required, and the dialogue among maritime security experts, including university-based scholars, must be intensified.