How right Mao was when he declared, "[w]e hold that our strategy does not embrace purely military affairs. War must be comprehensive and combined strategy."

The world faces a complex, rapidly changing strategic environment, occasioned by the end of the Cold War, the potential demise of globalism and the rise of non-state terrorism. This has led many Western states towards revisionist national security strategies focused increasingly upon reactive land-centred operations and an over-reliance on seemingly unenforceable international law. Credible evidence suggests that in many states, including Canada, maritime security lacks financial or political resources, sustainability, relevance or multi-agency coherence. The world’s oceans continue to offer both non-state terrorists and transnational criminals a relatively benign environment in which to operate. With NATO predominantly focused upon wars in both Iraq and Afghanistan, elements of these socially malignant groups ply the world’s oceans with near impunity. When august organizations such as the RAND Corporation highlight the impact of crime and terrorism on maritime security, it would be prudent to review international responses and re-evaluate strategy.1

A more proactive, holistic response to the unconventional threats of maritime-based terrorism, piracy and transnational organized crime is required. The international community, in particular the G8, can ill afford to ignore the evidence of non-state terrorists or transnational criminals profiting from their failure to enforce either national or international law across the maritime domain. Diverse threats to maritime security can be distilled to show a common operational background. Illegal immigration from South to North America, narcotics trafficking from Colombia to USA, Al Qaeda’s maritime operations off Yemen and radical terrorists entering India via water prior to attacking the commercial heart of Mumbai are either a building storm cloud or timely warning.

This article intends to highlight the developing international malaise and examine contemporary maritime security issues. It argues that whilst conventional threats to maritime security remain low, relatively constant and localized, irregular, non-conventional actors are increasingly threatening global maritime security.2 This demands the promotion of a vigorous, coherent and international approach through the adaptation of established counter-insurgency (COIN) doctrine.

Throughout history the maritime domain has been both a source of considerable economic wealth and an area of vulnerability for the world’s trading states. Canada, for example, derived $100 billion from international maritime trade or 14% of overall trade in 2005 with some 350 million tonnes of cargo moved through Canadian ports.4 Paradoxically, many states and international bodies could nonetheless be said to suffer from acute ‘sea-blindness.’
Sea-blindness can be defined as a socio-political failure to acknowledge or recognize the importance of the maritime domain to both society and economy. Canada sub-consciously exacerbates this with reference to ‘the Maritimes’ or ‘Atlantic (and Pacific) Canada’ setting apart these provinces from the continental trading provinces. This alien condition transcends society from politicians to the working man, from private industry to political bodies and marks a clear break in the contemporary unity of government, society and military. The future physical and economic security of many states depends upon the freedom to use the world’s oceans and their ability to influence world-wide political events by military means, given that the maritime environment is the most likely way to transport military materiel/assistance to crisis locations or, paradoxically, weapons of mass destruction to Western shores.

Maritime trade remains crucial for the survival of a vibrant and healthy international economy. Globalization has been a veritable ‘Revolution in Commercial Affairs,’ ranking alongside the original Industrial Revolution for its paradigm-changing economic impact. It has allowed for the demise of traditional industrial and manufacturing-based economies, the specialization of agriculture and the economic rise of service industries, but requires a secure mercantile marine network for transporting goods and raw materials to the point of demand.

The plethora of recent international legislation designed to support maritime security has proved to be unwieldy in the face of non-state terrorism, transnational crime or piracy. The marine environment operates based upon the principles included in the Safety of Life at Sea (SOLAS) Agreement (1974), United Nations Convention of the Law of the Sea (UNCLOS) (1982) and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) (1988). It is now argued by some people that these agreements hamper effective coordination or multilateral efforts to counter the rising tide of maritime criminality. As an example, the recently published UK National Security Strategy is effectively hamstrung by its reliance upon unenforceable international laws and conventions. This is also true for those countries which are not prepared to try those suspected of piracy in their own courts for fear of bogus asylum claims or religious/ethnically-based protests.

Recent attempts to modify the out-dated provisions of UNCLOS in order to make it a more effective counter to piracy have failed. Martin Murphy, for example, has argued that the piracy provisions in UNCLOS have lost their relevance as the world has changed. But the provisions are small elements in a larger treaty that no one wants to renegotiate because it provides a basis for cooperation. He also argues that the security of maritime trade is too important to be left to the mercy of “outdated provisions and unwilling states.” Despite UNSC Resolution 1816 of June 2008 condemning piracy and allowing international warships to pursue pirates into Somali waters, the failure of the international community to act in concert over piracy does little to promote confidence in the regulatory amalgam.

The introduction of the International Ship and Port Facility Security Code (ISPS) in 2004 provided the international community with a comprehensive legal framework to combat acts of terrorism or criminal activity upon the high seas. Although the ISPS Code was an International Maritime Organization-led response to the terrorist atrocities of 2001, it was widely seen as being heavily influenced by the United States. It places stringent obligations upon all persons involved in the shipping industry to guarantee...
the safety of crew, cargo and society from terrorist or criminal acts. Yet this response in isolation is not likely to address the many causes of maritime criminality or the use of the high seas by non-state-based terrorist organizations. To contribute effectively to maritime security it needs rigorous enforcement focused upon those who use the maritime domain for illegal purposes and not innocent professionals employed at sea. With sagacious application it could provide a law enforcement mechanism as part of a wider international response. It is increasingly unacceptable for the parameters of ISPS to be self-regulated by individual states, or for its implementation to be seen as the price the ‘developing’ world has to pay in order to trade with the ‘developed’ world. This is one particular area where international bodies such as the IMO, UN, G8 or NATO can act in concert to improve maritime security.

The terrorist attacks of 9/11 provided an unexpected and irreversible paradigm shift in the level of threat posed against the international community by non-state terrorists and transnational criminals. Sadly many states demonstrate ostrich-like tendencies when reviewing the relevance of the maritime domain to national security. For example a review of the UK National Security Strategy (2008) illustrated a disappointing lack of reference to maritime security or associated dependence upon maritime trade. As with any addiction, the acknowledgement of the problem marks the watershed en route to recovery, not empty sentiment or hollow words. The UK’s blind and naive acceptance of unenforceable international law is not unique, ignoring as it does the complex problems of modern-day piracy, non-state terrorism and transnational criminality. Like Canada but unlike the United States, an effective national response or strategy has not been developed: instead the necessary political will, financial resources and equipment are focused upon waging two intractable land wars in Iraq and Afghanistan. This continuing failure to assess threat adequately now prejudices global security.

Modern-day maritime terrorism is marginalized as an irrelevance by the proponents of engaging a stateless enemy in distant land wars. Will such campaigns deny Al Qaeda initiative or lessen its ability to bring the fight to the ‘developed’ world? If the New York terrorist atrocities of 9/11 provided opposite lessons, it was that the world should expect the unexpected and Al Qaeda is a capable opponent worthy of our collective respect. Globally, terrorist groups such as Al Qaeda, GAM and Tamil Tigers have a proven ability to launch attacks within the maritime domain and there is a growing body of evidence of a sinister nexus developing among these groups who threaten maritime security.8

Organized crime is probably the most common of all the threats which are committed at sea. Often reported in the world’s media are regular drug seizures made in the Caribbean, illegal immigration into Europe from Africa or illegal weapons imported to fuel the growing tide of gun crime. Yet how holistic or effective is the international response to this Pandora’s box of criminal behaviour? Are meagre national security resources spent wisely? Do states target actual long-range criminal activity, or does the public respond with surprise and alarm when drugs are sold openly on the streets by armed drug gangs? Policing drug and gun crime on the streets is akin to trying to put an omelette back into the broken eggshell whence it came. NATO’s ‘comprehensive approach’ to operations in Afghanistan is designed to create an environment which will no longer be conducive to mass opium production. If this argument were translated into the maritime environment, then it would see calls for increases in NATO constabulary patrols, maritime operational effectiveness and naval platform numbers.

Piracy is an emotive topic – even its definition sparks an animated debate as to what constitutes the act and how it should be countered. Piracy is explicitly defined in Article 101 of UNCLOS as “an armed robbery that occurs in a ship on the high seas, outside the jurisdiction of any State.” This definition thus separates piracy from privateering and is relatively unhelpful in the current circumstances. Piracy is not a global issue, instead it is concentrated in a number of distinct areas of the world – despite the recent spate of piracy off Somalia, the International Maritime Bureau’s Piracy and Armed Robbery Report (2003-2007) notes that 63% of 757 offences in this time period occurred in Asian waters. Piracy arises for a number of
reasons, but particularly because of failed states, corruption, poverty and opportunity. The UNCLOS definition of piracy as a private act conducted by individuals on the high seas creates a body of distorted statistics and legal impediments to its effective prosecution. As a counter, a tailor-made international response is required to provide a lasting solution which brings together public, private, civilian and military organizations. The world needs a proactive response and not further procrastination, and it needs responsible states like Canada to use their military capability to best effect.

The behaviour and methodology of those threatening maritime security is closely aligned with that of insurgents. They are localized, small in number, disparate, irregular and targeting the perceived weaknesses of conventional forces or government agencies ranged against them. Rather than a deployment of conventional forces it would be more efficacious, cost-effective in the delivery of a long-term solution for a coherent, well-resourced, multi-agency international response to be pursued. This recognizes that a military response seldom delivers a lasting conclusion to such a multi-dimensional problem. We can illustrate the value of a more imaginative multi-agency approach by drawing on the recent successes of joint operations in Iraq and bilateral work to improve littoral security in the Niger Delta.

Contemporary counter-insurgency doctrine illustrates many tactics and conflicting approaches but the fundamental essence of an approach can be distilled to apply to delivering effective maritime security. The elements of the doctrine would include the following:

- The establishment of political primacy and maintenance of the political aim to address maritime security allow the government to formulate long-term plans.
- Coordinated government machinery is essential given the requirement for an integrated response and the likelihood that each government agency will approach the problem differently.
- Intelligence and information management are crucial.
- Separating the terrorists/criminals from their support is absolutely fundamental.
- Neutralizing the terrorists/criminals must be done, whether by removing their support, capturing or killing them.
- Stabilization planning is the key to a successful campaign as it provides a significant impetus to any non-military initiative.

Current global naval activity is increasingly unlikely to succeed against such irregular threats. Time and time again tactical successes have not deterred a local population from joining or supporting an insurgency if its concerns are not addressed. A coordinated international response which includes active participation from all interested parties, focused on the delivery of political and socio-economic investment will address more than just immediate security issues. We should remember the failure of ‘coordinated government’ to maximize the goodwill of the Iraqi people following their ‘liberation’ in 2003. By not delivering effective and timely investment in infrastructure projects in the immediate aftermath of the collapse of Saddam Hussein’s regime, serious and long-lasting security problems ensued.

A multi-agency approach requires coordination of six lines of operations, which can be listed under the acronym ‘SLEEPS’ – security, legal, economics, environment, politics and sociology. These lines of operation would need to be synchronized into campaign phases, with key activities coordinated to achieve a politically endorsed end-state. Figure 1 and Table 1 illustrate the SLEEPS model.

The model requires wide coordination, political capital and resources from a number of international and national bodies with private sector assistance to deliver campaign objectives. This model allows considerable opportunities for private security companies and non-government organizations to undertake training, provide basic levels of security, deliver local health care, education and infrastructure work. By altering the international approach to dealing with maritime criminality, perhaps the perception of those who practise it can also be altered.

**Figure 1. The SLEEPS Model**

![Figure 1. The SLEEPS Model](image-url)
Skeptics will suggest that the financial cost of combatting piracy, terrorism, organized crime, illegal immigration and the proliferation of WMD within the maritime domain through a comprehensive approach is prohibitive. But this misses the point. Here the fundamental tenet is that a well-coordinated and holistic approach is not inexpensive nor is it easy to achieve in the short term. Nonetheless, its long-term benefits far exceed the law of diminishing returns when compared to a financially comparable conventional military response. Given the potential risks, society’s failure to address the very serious multi-faceted threats within the maritime domain would be bordering upon the ostrich-like. Do we wish to live in a world where individuals and rogue states have the ability to terrorize, trade in WMD, ply our streets with narcotics and deliver illegal aliens to the countries of their choosing? Or do we wish to address these issues with the full power and legitimacy of a comprehensive multi-agency response?

Mature democratic societies face choices over how their governments behave and how they deliver effective national security. No one course of action will deliver an immediate, universally successful and inexpensive solution. In the context of limiting nefarious maritime activity to an acceptable level, the resource-based decisions societies face are how much to expend and over what time-scale? Those skeptics who claim a comprehensive multi-agency approach to counter developing maritime threats would achieve little and cost a lot should turn their sights to the land campaigns being waged in Iraq and Afghanistan where military commanders now acknowledge that a conventionally defined victory over insurgents is impossible. It is difficult to derive accurate financial figures that meaningfully contribute to this debate. The philosophical waters are muddied by confusion over definitions, budgetary responsibility, direct and indirect expenditure to name but a few. But the time has come when we should accept that myopic unipolar campaign plans do not work ultimately.

In conclusion, as Robert Thompson, the lead political strategist of the British Malaya campaign in the 1950s, so eloquently said:

The government must have an overall plan. This plan must cover not just the security measures and military operations. It must include all political, social, economic, administration, police and other measures which have a bearing…. Above all it must clearly define roles and responsibilities to avoid duplication of effort and to ensure that there are no gaps in the government’s field of action.11

And for this reason the field of maritime security provides fertile ground for further academic research, particularly in threat analysis of the irregular, non-state actors involved. Further research will (hopefully) end the growing debate over international maritime susceptibility and recommend a new approach to obviate many of the current impediments to effective maritime security. Many national maritime security strategies require redirection towards international collaboration. They should instead draw inspiration from the global pool of counter-insurgency experience in delivering an effective international response. Whilst acknowledging some progress has been made, it is clear that more collaborative work is urgently required. The increase of maritime criminality and terrorism already suggests a far-sighted revisionist approach is required to deter further exploitation of the sea by today’s criminal and terrorist groups. Further delay by the ‘ostrich’ states could well allow terrorists and criminals an opportunity to entrench a proven capability at the expense of the global economy and security. 

Notes

Table 1. SLEEPS Model and Relevant Government Departments

<table>
<thead>
<tr>
<th>Security (Military/Naval)</th>
<th>Legal (Judiciary, Law Enforcement)</th>
<th>Economics (Development Aid or Investment)</th>
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<tbody>
<tr>
<td>Environment (Infrastructure)</td>
<td>Politics (Inter-/Intrastate Governance)</td>
<td>Sociological (Education, Health Care and Social Affairs)</td>
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