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THE UNITED STATES NATIONAL STRATEGY FOR MARITIME SECURITY: IMPLICATIONS FOR THE INTERNATIONAL COMMUNITY

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THE United States National Strategy for Maritime Security was formulated to define a US role to promote international maritime security. The goal is to effectively and efficiently enhance the security of the maritime domain while preserving the freedom of the domain for legitimate pursuits. In the Strategy, the US recognises that because of the extensive global connectivity among businesses and governments, its maritime security policies affect other nations. As such significant local and regional incidents will have global effects.

Hence, success in securing the maritime domain will not come from the US acting alone, but through a powerful coalition of nations maintaining a strong united, international front. The need for a strong and effective coalition is reinforced by the fact that most of the maritime domain is under no single nation's sovereignty or jurisdiction. Even in the US, less than 3 percent of its international waterborne trade is carried on vessels owned, operated, and crewed by US citizens.

Five Strategic Actions

The Strategy comprises five strategic actions which include enhancing international cooperation; maximising domain awareness; embedding security into commercial practices; deploying layered security; and assuring continuity of the maritime transportation system. Of the five strategic actions, the first three actions will intimately involve the international community.

The first strategic action is to enhance international cooperation to ensure lawful and timely enforcement against maritime threats. This calls for more robust international mechanisms for improved transparency in the registration of vessels and identification of ownership, cargoes, and crew of the world's multinational, multi-flag merchant marine. New initiatives will be pursued diplomatically through international organisations such as the International Maritime Organisation, the World Customs Organisation, and the International Standards Organisation. Where appropriate, these initiatives will build upon existing efforts, such as the Container Security Initiative, the Proliferation Security Initiative and the Customs-Trade Partnership Against Terrorism. Others include the non-proliferation amendments to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the International Code for the Security of Ships and Port Facilities (ISPS Code), as well as the 2002 amendments to the International Convention for the Safety of Life at Sea, 1974.

The new initiatives will cover several provisions. The main ones are: (1) implementing standardised international security as well as customs practices and standards to ensure that goods and people entering a country do not pose a threat; (2) expanding the use of modernised and automated systems, processes, and trade-data information to make vessel registration, ownership, and operation, as well as crew and cargo identification, more transparent and readily available; (3) developing, funding, and implementing effective measures for interdicting suspected terrorists or criminals; (4) developing and expanding means for rapid exchanges among governments of relevant intelligence and law enforcement information concerning suspected terrorist or criminal activity in the maritime domain; (5) adopting streamlined procedures to verify nationality and take appropriate and timely action against vessels; (6) expanding the US Government's capabilities to pre-screen international cargo prior to landing; (7) adopting procedures for enforcement action against vessels that are suspected of carrying or supporting terrorists or criminals; and (8) adopting streamlined procedures for inspecting vessels suspected of carrying suspicious cargo and seizing such cargo.

The second strategic action is to maximise domain awareness to support effective decision making. To achieve this, the US will continue to enhance the capabilities of current systems and develop new capabilities and procedures to locate and track maritime threats and illicit activities.

Initiatives to maximise domain awareness include expansion and enhancement of: (1) short- and long-range vessel identification and monitoring capabilities; (2) regulatory and private sector initiatives and agreements to enhance advance notices of arrival, vessel movement information, supply-chain security practices, and manifest and entry information of cargo; (3) international arrangements that promote enhanced visibility into the maritime supply chain and the movement of cargo, crews, and passengers; (4) sensor technology, human intelligence collection, and information processing tools to persistently monitor the maritime domain; (5) international coalitions to share maritime situational awareness on a timely basis; (6) global maritime intelligence and integration enterprise for intelligence analysis, coordination, and integration that supports all other national efforts; (7) shared situational awareness to disseminate information to users at all levels; (8) automated tools to improve data fusion, analysis, and management in order to systematically track large quantities of data, and to detect, fuse, and analyse aberrant patterns of activity; and (9) transformational research and development programmes in information fusion and analysis to develop the next qualitative level of capability for detecting threats.

The third and last strategic action that impacts on the international community is the embedding of security into commercial practices to reduce vulnerabilities and facilitate commerce.

Such embedding of security practices rests upon the implementation of key legislation, such as the Maritime Transportation Security Act of 2002 and the Trade Act of 2002. There are also International Maritime Organisation requirements such as the International Ship and Port Facility Security Code, and public-private partnerships such as the Customs-Trade Partnership Against Terrorism. A programme of formal maritime security governance will be developed based upon these statutes, international instruments and identified best practices.

As commercial practices must also put in place effective means to control access to their

facilities, the US, in cooperation with the private sector, will establish a system-wide common credential for use across all transportation modes by individuals requiring unescorted physical access to secure, restricted, and critical areas of the maritime domain. The identification card for access will use biometrics to link the person to the credential definitively. To receive this credential, individuals will undergo appropriate background checks. Credential service will also be made available on a voluntary basis for frequent travellers under various registered traveller programmes.

The United States National Strategy for Maritime Security first and foremost presents a vision for the achievement of maritime security for the people and interests of the US. But it also increases global security against transnational threats, strengthens international partnerships and advances economic well-being around the globe by facilitating commerce and abiding by the principles of the freedom of the seas.

However, as a vision for the future, it faces some serious challenges, not least of which is the sheer magnitude of the maritime domain which complicates the arduous and complex task of maintaining maritime security. Hence, the effective implementation of the Strategy will rest upon greater cooperation, trust and confidence in the domestic as well as the international community. In other words, there is a part for everyone, from the state to the private enterprise, in ensuring the continued safety and security of the global maritime domain.

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