

**CHAIRMAN'S REPORT OF
THE TRACK II NETWORK OF ASEAN DEFENSE AND
SECURITY INSTITUTIONS (NADI) WORKSHOP ON ENHANCING MARITIME SECURITY
COOPERATION IN ORDER TO PREVENT TRANSNATIONAL CRIME IN THE REGION**

20 – 23 NOVEMBER 2016
SWISS-BELHOTEL RAINFOREST, KUTA, BALI

1. The NADI Workshop on Enhancing Maritime Security Cooperation in Order To Prevent Transnational Crime in the Region, organized by the Indonesia Defense University (IDU), was held at the Swiss-Belhotel Rainforest, Kuta, Bali-Indonesia from 20-23 November 2016.
2. Representatives from Brunei Darussalam, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam attended the workshop. The list of participants that attended the Workshop appears at **Annex I**. Lieutenant General I Wayan Midhio, M.Phil, the Rector of IDU chaired the Workshop.

Chairman's Welcome Remarks

3. Lieutenant General I Wayan Midhio, M.Phil welcomed NADI members to the workshop and expressed his pleasure in hosting the workshop. He formally acknowledged the presence of all Heads of Delegation and encourage to this workshop. He mentioned that ASEAN member states (AMS) have a dynamic relationship in facing the changing of strategic environment in the region. In the context of the ASEAN, the evolvement of threat from traditional to non-traditional security has affected the security of ASEAN member states significantly. Such non-traditional security threat should be handled systematically and with the spirit of togetherness. Maritime Security has been understood as a tool to deal with non-traditional security threat.
4. He said that during 2016, there are four meetings including the last meeting in Bali that is conducted on 20-23 November in Bali. Maritime security issues as a topic in NADI Bali 2016 offers some concepts, models and roles as well as elements of principles of the Maritime Security Cooperation. As key areas of discussion, he described about three of those such as the patterns of maritime security cooperation and the way of maritime security based on defense diplomacy as well as the development of maritime security cooperation through mutual relation

Adoption of Agenda

5. The meeting adopted the agenda for the workshop as attached in **Annex II**. The programme for the workshop appears as **Annex III**.

Keynote Speaker's Presentations

Presentation by M. Chandra Widya Yudha, M.A. Director for ASEAN Political and Security Cooperation at the Ministry of Foreign Affairs of Indonesia.

6. M. Chandra Widya Yudha, stated that with a maritime domain of about 80 percent, a coastline of about 173,000 kilometers, and most of the world's sea-lanes of communication, South East Asia region is dealing with immense transnational challenges in the maritime domain. These challenges include maritime terrorism; smuggling of goods, people, wildlife, timber and weapons; drug trafficking; trafficking in persons; piracy; hijacking; armed robbery against ships, and illegal, unreported, and unregulated fishing (IUU Fishing).
7. To stimulate the discussions at the workshop, He shared four points to consider in discussing and exploring ways to strengthen maritime cooperation in the efforts to prevent transnational crimes such as optimizing information and intelligence sharing through the ASEAN Defense Ministers' Meeting (ADMM), studying different models of defense cooperation, especially in joint operations, and the possibility of those cooperation to be adopted at the ASEAN level. Hence, through regional or bilateral mechanism, it is important to intensify sea and air patrols in their own jurisdiction to help prevent potential transnational crimes committed at and through our seas as well as the need to equip our patrols with adequate knowledge and information of transnational crimes in the region.

Presentation by Dr. Andi Widjajanto, M.A. Lecturer of University of Indonesia and Indonesia Defense University as Academician in Defense Issue.

8. Dr. Andi Widjajanto mentioned that maritime security issues is critical for ASEAN. There are four layers of maritime security predicaments such as sea power, national security, marine safety and human security. Those predicaments have some factors that influenced each other and will be a trigger of maritime conflict.
9. He also stated that Global Maritime Fulcrum as particular policy of President of The Republic of Indonesia, Ir. H. Joko Widodo. There are seven points as main factors of that policy namely Naval Defense, Geo Maritime, Maritime Governance, Maritime Culture, Blue Economy, Maritime Infrastructure and Maritime Diplomacy. He also explained about Geo Maritime Indonesia which may be divided into two kinds of policy such inward looking perspectives for Archipelagic State, Juanda Declaration, UNCLOS 1982 and "*Wawasan Nusantara*". Besides that, there are two policies which more outward looking perspectives namely Global Maritime Governance and Naval Power Projection.

Country's Presentation

Presentation by Refana Juanda, Research Officer, Sultan Haji Hassanal Bolkiah Institute of Defense and Strategic Studies, Ministry of Defence, Brunei Darussalam

10. Miss Refana Juanda gave an overview of Brunei Darussalam's maritime security challenges in dealing with transnational crimes. She highlighted that while the country's transnational crimes are mostly land based, any disruption in the maritime domain poses a significant security threat to national security and sovereignty. In this regard, she underscored the need to continuously ensure the security of Brunei's territorial waters and its EEZ. She also shared a number of preventive measures to address maritime security and related transnational crimes in Brunei.
11. Looking at the patterns of maritime cooperation in the region, she identified variations in those cooperation in the form of multilateral, bilateral, trilateral and Track II engagements. She observed that there would be an increase in levels of engagements and deepening interaction among ASEAN and its dialogue partners based on agreed principles, norms and values. ASEAN member states should already have the necessary trust and confidence to engage in other areas. She stressed that it is necessary to further deepen engagement in existing regional cooperation.

Presentation by Colonel Dr.rer.pol.Rodon Pedrason, M.A., Head of Study Program of Defense Diplomacy, Faculty of Defense Strategy, Indonesia Defense University

12. Colonel Dr.rer.pol. Rodon Pedrason mentioned that the involvement of AMS for enhancing maritime security cooperation could be reached through some points are:
 - a. These countries have the capacities and capabilities in support of security at sea.
 - b. These countries have given the security interests of commercial ships crossing the Southeast Asia Region.
 - c. The Coast Watch System (CWS) used by the Philippines is a security system that can be run effectively if the countries involved (ASEAN and non-ASEAN) are in agreement of same mechanism, namely to realize maritime security in Southeast Asia.
 - d. With the Regional Border Area (RBA), the maritime security will be experiencing significant growth in the face of non-traditional threats so ships passing are no longer an easy target groups for transnational crime.

- e. Tri-Border Area (TBA) that already exists but is less effective because each country has its limitations, can be tackled together.
- f. The mechanism of CWS can be implemented by many countries through joint patrol.
- g. The intensity of the Joint Patrol will be more effective as a maritime security of Southeast Asia is a hot spot for the security of the countries in the world.

Presentation by Lieutenant Colonel Souksan Khaiphom, Deputy Chief of the Office of Military Science and History Department of Ministry of National Defence, Lao PDR

- 13. Lieutenant Colonel Souksan believed that natural disasters, climate change, terrorism, maritime and territorial disputes and the influx of illegal migrants are serious threats to regional peace and stability. These NTS challenges do not only undermine efforts to maintain regional peace and stability, but also hinder national security and socio-economic development.
- 14. In order to enhance maritime security cooperation in dealing with the existing and future security challenges, he suggested that the AMS need to be committed to implementing activities under the framework of the ADMM-Plus Experts Working Group on Maritime Security; to also work closely with Plus countries to build and upgrade capacities and other potentialities in order to handle security challenges; and to narrow development gaps to ensure that every ASEAN country can contribute to the activity in an effective and timely manner. It is also critically important for the AMS to enhance maritime cooperation through the establishment of bilateral and multilateral cooperative mechanisms, the conduct of joint maritime exercises, education and training programs, exchange of visits, lessons and best practices learned from cooperation between AMS and Plus countries.

Presentation by Lieutenant Colonel Munraj Singh RMAF, Assistant Director Traditional Military Affairs, CDSRC, Malaysian Institute of Defense and Security (MiDAS)

- 15. Lieutenant Colonel Munraj Singh stated that the littoral states must move forward to extend the cooperative mechanism to include issues of extended maritime security and transnational crimes. Ideally littoral states may enter into “Subsidiary Agreement”, to facilitate close cooperation that may expand upon rights and obligations for surveillance and enforcement activities in each other territorial waters. Through agreement a state may permit another state authority to extend

its law enforcement activities to the territorial and archipelagic waters. Here states may agree to permit the other an option to carryout hot pursuit where it deemed necessary provided communications amongst the law enforcement agencies are established.

16. He mentioned about ARF Statement on Cooperation against Piracy and Other Threats to Maritime Security, and Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime such as illicit drug smuggling, trafficking in persons, sea piracy, arms smuggling, money laundering, terrorism and international economic crime as well as cyber crime. Several programs for resolving those problems are exchange of information, legal matters, law enforcement matters, training, institutional capacity building and extra regional cooperation.

Presentation by Major General Soe Naing Oo, Deputy Chief of Armed Forces Training, Ministry of Defence, Republic of the Union of Myanmar.

17. Major General Soe Naing Oo stated that maritime security can be addressed as the common interest as well as common concern of all AMS. Any disturbances, threats, crimes, terrorist attacks at sea may constitute the threat to maritime security and regional economic context. He mentioned that there is a need to further increase the level of cooperation and coordination among AMS.
18. He highlighted to abide international agreements and stated that coordination, sharing information, raising maritime domain awareness, carrying out of bilateral and multilateral patrols are to be taken into consideration to solve maritime transnational crimes. He also mentioned that only military cooperation cannot bestow the favor of encountering with the matters such as maritime transnational crimes and those have to be taken into account as extraordinary issues which are to be worked out in careful means.

Presentation by Prof Lt Col (Ret) Ahmad Ghazali Abu-Hassan, Director, CDISS, National Defence University of Malaysia

19. Prof Lt Col (Ret) Ahmad Ghazali Abu-Hassan gave a presentation on the relevant international legal issues arising from the provision of UNCLOS III and the UN Convention on Transnational Organized Crimes. He also mentioned that to establish cooperation in combating crimes in its maritime region, ASEAN needs to identify the specific maritime trans-boundary crimes that need to be tackled and establish a common approach in dealing with the issue. The Strait of Malacca and Sulu Sea initiatives could serve as good model from which a framework could be established. Due to the limited resources available, duplication of effort and resources in the effort to combat maritime transborder crimes must be avoided. AMS should try to take stock of the resources that they have. Effort must be made to share and to maximize the usage of regional resources available both in terms of surveillance and enforcement capabilities.

Bilateral and multilateral arrangements to deal with specific common maritime transborder crime or security issue should be encouraged. They could be the feature of future ASEAN regional security cooperation.

Presentation by Rear Admiral Roberto Q. Estioko, (Ret) Ph.D., MNSA., President National Defense College of Philippines, Department of National Defense

20. Rear Admiral Roberto Q. Estioko stated that the Philippines, as a maritime and archipelagic nation, is beset with a host of maritime security challenges, especially in the porous tri-border area in its southern part. These challenges include maritime terrorism, which significantly affect the sense of peace and security in some of the country's islands. In this regard, the country has initiated and participated in both domestic and international initiatives to combat terrorism at sea. In the domestic scene, the Philippines has made institutional arrangements such as the Philippine Center on Transnational Crimes (PCTC) and the National Coast Watch Center (NCWC) among others. At the international level, the Philippines supports ASEAN initiatives and declarations. The country also participates in sub-regional arrangements, especially with Malaysia and Indonesia in the area of maritime security.
21. He further recommended that, notwithstanding the prior accomplishments of ASEAN, the following might be considered to further enhance the organization's maritime security initiatives: (1) Strengthen existing functional regional institutions for maritime security such as the Regional Cooperation Against Armed Robbery and Piracy (ReCAAP) at sea in the area of information-sharing and incident-reporting; (2) capacity-building of existing individual national maritime security points of contact; (3) establish implementation mechanisms of the Code of Unplanned Encounters at Sea (CUES) for all of Southeast Asia's maritime zones; (4) consider the Philippines-Malaysia-Indonesia trilateral agreement as a point for discussion for existing and future cooperation mechanism in the region; (5) consider the Philippines-Malaysia-Indonesia trilateral agreement as a model for larger ASEAN counter-terrorism efforts; and (6) in special circumstances and emergency cases such as derangement, extreme weather conditions, hot pursuit of terrorist sea craft, etc., develop special coordinating mechanisms/protocols that will facilitate quick actions by operating maritime security units/agencies.

Presentation by Mr. Tan Seng Chye, Head of NADI Secretariat, S. Rajaratnam School of International Studies (RSIS)

22. Mr Tan Seng Chye highlighted the geostrategic importance of Southeast Asia (SEA) which has the main sea lanes passing through the Straits of Malacca and Singapore that carry about half the world's trade and energy to Northeast Asia and the Pacific region. Thus, Southeast Asian and Northeast Asian States have a vital stake in peace and stability in the SEA region for safety of navigation and

their economic wellbeing. The littoral States of the Straits of Malacca and Singapore play a significant role in combating threats to maritime security and safety of ports. The regional States cooperate on a bilateral, trilateral or multilateral arrangement to combat the transnational crimes and terrorist threats to ensure safety of sea lanes and ports. At the national level, Singapore has in 2011 established the Singapore Maritime Crisis Centre (SMCC) for a Whole-of-Government approach to detect and deter maritime security threats as early as possible and as far away from Singapore as possible. The SMCC has two arms – the National Maritime Sense-making Group (NMSG) and the National Maritime Operations Group (NMOG). With modern maritime assets like high speed Naval and Police vessels, the SMCC is vigilant, well prepared and ready to respond to any maritime threats.

23. ASEAN has been concerned about maritime safety and security of the region. Since 2007, ASEAN has made many declarations on combating transnational crimes and terrorist threats and it has issued the ASEAN Plan of Action to Combat Transnational Crime in June 1999. ASEAN has also issued a number of joint declarations and an MOU with the dialogue partners to cooperate in combating these transnational crimes and terrorist threats. In the Joint Communique of the ASEAN Foreign Ministers' Meeting held in Vientiane, Laos, on 24 July 2016, the ASEAN Foreign Ministers stressed the importance of strengthening regional cooperation and promoting mutual trust and understanding in maritime security and maritime safety to ensure peace and stability as well as safety of sea lanes, freedom of navigation and over flight, and unimpeded commerce through, inter alia, capacity building, exchange of experiences and sharing of information and best practices.
24. The following recommendations are proposed to enhance national capacities and to strengthen closer cooperation among ASEAN countries to respond more effectively to transnational maritime security threats.
 - a. ASEAN countries should build up effective national response centers to combat transnational crimes and threats that affect the maritime domain and safety of sea lanes. National centers officials should enhance their human resource capacities and expertise through their participation in training courses and workshops to share experiences, and in exercises to enhance their effectiveness to combat the transnational crimes and threats. ADMM and ADMM-Plus are requested to assist in these efforts.
 - b. ASEAN countries should work closely together and utilize all the resources available including the IFC and ReCAAP, to share information and intelligence especially when combating transnational crimes like piracy, sea robbery, hijacking of ships, smuggling of arms and terrorist threats to important national facilities. They should also conduct meetings to discuss enhancing their cooperation in order to be more effective in

their coordinated maritime responses to combat these threats through bilateral, trilateral and multilateral regional cooperation.

Presentation by Colonel Pratuang Piyakapho, Director of Regional Studies Division, Strategic Studies Centre, National Defence Studies Institute, Thailand

25. Colonel Pratuang highlighted that there are many existing challenges regarding maritime security in both areas; TS and NTS. To deal with NTT especially transnational crimes such as terrorism, piracy at seas, illegal trades ie. wildlife, drug, human trafficking, etc., integrated efforts among AMS are required to solve the problem together in order to foster a peaceful environment to sustain development and prosperity in the region. More effective regional mechanisms, joint cooperation among regional countries are needed to effectively counter NTT and transnational crimes.
26. Thailand has developed national maritime security policy (2015-2021) aiming to build and enhance maritime security in a sustainable manner with emphasis on integrated efforts among units involved, domestically or internationally, both regional and international cooperation on maritime security to achieve security goals. In addition, modern technology, information sharing, joint academic and training, joint standard procedures, coordinated operations are enabling tools for effective cooperation among involved parties at effective costs. The assigned coordination authorities and network, both domestics and international, should be established for more effective and responsive joint coordination and cooperation. Also, there should be coherence from policy level through operational level, seamlessly.

Presentation by Lieutenant General Assoc. Prof. Nguyen Duc Hai, Ph.D. Director General, Institute for Defense Strategy Ministry of National Defense of Viet Nam

27. Lieutenant General Assoc. Prof. Nguyen Duc Hai stressed that Transnational organized crime at sea in Southeast Asia has witnessed complex developments in recent years. Against the backdrop of globalization and regionalization, transnational organized crime, in general, and transnational organized crime at sea, in particular, have increased rapidly, especially piracy, armed robbery, trafficking in drugs, arms and humans, and so on. A report released by the United Nations Office on Drugs and Crime (UNODC) Regional Office for Southeast Asia and the Pacific on February 25th 2016 shows that transnational organized crime is becoming a serious issue in Southeast Asia today. The crime organizations are notably exploiting the loopholes in maritime transport. Every year, there are about 500 million containers of cargo worth about \$5,300 billion being shipped via sea lines of communication (SLOCs) in the region, but only 2 per cent of the containers is checked.
28. He described that Globalization and international integration in both depth and width are also favorable conditions for organized crimes to expand their illegal

activities. When global trade increases, both legal and illegal cargo shipped via sea lanes are on the increase. The business of transnational organizations is of global scale. Furthermore, to understand about the measurement of enhancing cooperation on combating transnational crime at sea in the region we should determine the improving the effectiveness of coordination among AMSs, enhancing information sharing and conducting joint patrol at the sea as well as enhancing cooperation on training and scientific research.

Presentation by Colonel Gatot Purwanto, M.Si (Han), Director of Doctrine, Operation and Training, Centre for Strategic Studies of Indonesian Armed Forces

29. Colonel Gatot mentioned that as countries located in the Southeast Asia Region, ASEAN become the market of drug trafficking, surely we together should face this problem seriously. When talking about illegal drug trade, there are three chains namely producers, consumers and distribution channels. By cutting off one of the chains, the drug trade would be disrupted, which ultimately can eradicate drug trafficking.
30. In eradicating drugs crime, Indonesia has been working closely with law enforcers both regionally and internationally such as: Philippine Drug Enforcement Agency (PDEA), the Police Force of the Republic of Fiji; China National Narcotics Control Commission, and some other AMS on bilateral basis. A concrete effort by Indonesia to combat illicit traffic of narcotics in the region namely as an organizer of the *Bali Meeting on ASEAN Senior Officials on drug matters work planning, securing ASEAN community against illicit drugs from 2016 to 2025*. ASEAN initiation seaport interdiction task force is the first stepping stone to be able to accommodate a broader cooperation plans in the ASEAN region.

Discussion Session

31. During the discussion, the meeting agreed on the importance of enhancing engagements and cooperation for a more coordinated and effective response to threats in the maritime domain through bilateral, trilateral and multilateral regional cooperation. There is also a need for ASEAN Member States to deepen their interactions with dialogue partners based on agreed principles, norms, values and arrangements.
32. The meeting also agreed on the importance of AMS building effective national response centres to combat transnational crimes and threat that affect maritime domain and safety of sea lanes. Thus AMS officials at these national response centres should enhance human capacity and expertise through ASEAN cooperation with the Plus countries. The AMS should work closely together and utilize all the resource available including the IFC and ReCAAP to share information and intelligence especially in combating Transnational Crimes.

33. Given the success of Malacca Strait Patrol (MSP) to suppress piracy and sea robbery, the meeting considers that this model can be expanded and replicated to address other transnational crimes in the region.

Recommendations

34. In view of foregoing discussion, the meeting agreed to propose the following recommendations for the ADMM's consideration:
 - 1) AMS should establish national response centers to effectively deal with transnational crimes to ensure appropriate response to threats in the maritime domain. In this regard, ASEAN should strive to build up human resource capacities and expertise through their participation in training courses and workshops to share experiences, and in exercises to enhance their effectiveness to combat transnational crimes and threats.
 - 2) AMS should work closely together and utilize all the resources available including the IFC and ReCAAP to share information and intelligence especially when combating transnational crimes such as piracy, sea robbery, hijacking of ships, smuggling of arms and terrorist threats to important national facilities.
 - 3) In pursuing cooperative activities under the framework of the ADMM-Plus, AMS could also conduct stocktaking and review to make sure that they are aligned with regional objectives and aspirations.

Other Matters

35. The meeting welcomes Rear Admiral Roberto Q. Estioko, President of National Defence College of Philippines (NDCP) as the new focal point of Philippines.
36. The NADI Secretariat requests member institutions to inform it of any changes or updates in the contact list.
37. The meeting agrees that Chairman's reports of NADI workshops should be submitted to the Chairman of ADSOM for circulation to ADSOM members within two weeks after the meeting. The NADI Secretariat should be informed of this follow up so that the NADI Website can be updated.

Upcoming NADI Activities

38. The Philippines (NDCP / OSSSM) will organise the 10th NADI Annual Meeting on 27-30 March 2017. Further details will be provided in November.

39. Thailand (SSC) will organise a NADI workshop on “Countering Extremist Narratives: Integrated Efforts and Approaches within ASEAN” in Chachoengsao, Thailand in 18-22 April 2017.
40. Singapore (RSIS) will organise the NADI 10th anniversary commemorative workshop in May/June 2017.
41. Indonesia (IDU) will organise a NADI workshop on 9-12 July 2017. Further detail topic will be confirmed in May 2017.
42. The Philippines (NDCP / OSSSM) will organise the NADI Retreat and workshop in 4th quarter of 2017 (date TBC).
43. Malaysia (MiDAS/NDUM) will organize a workshop in the second half of 2017 and the topic and date to be confirmed.

Consideration of the Chairman’s Report

44. The meeting considered and endorsed the Chairman’s report.

Concluding Remarks

45. The Chairman expressed appreciation for the support and active contributions during the deliberations of the workshop.
46. The NADI Workshop participants expressed their sincere appreciation to Indonesia for excellent arrangement and generous hospitality in hosting the NADI Workshop on Maritime Security.

