Strategic Significance of Developing Interoperability to Mitigate Sea Blindness: Challenges and Future Concerns

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Distinguished Colleagues, Senior Officers, Ladies and Gentleman. Good afternoon.

May I first extend my thanks to the organisers for asking me to speak on a topic far from my daily focus, but close to my – and collectively our role as professional mariners. My day job is focused on transforming the Australian Fleet from one focused on deploying individual ships around the region, to a Fleet that sustainably generates Task groups capable of fighting and winning across the spectrum of conflict – a terrific challenge but one which is unashamedly tactical and so I am grateful for the opportunity to step back from the day to day and re-engage with the strategic challenges which we all struggle with as professional mariners.

The Indian naval strategist Mihir Roy has observed that maritime illiteracy is the primary cause of sea blindness. Now there is some debate about the extent of this illiteracy in each nation, however, I believe the underlying principle that when people are unaware of the benefits of the sea, and fail to discuss its influence in their life, then they become blind to both its importance and its challenges; and as a consequence they take both the benefits of the sea and the responsibility for safeguarding it for granted.

In February 2014 my former Chief of Navy, Ray Griggs observed Australians have for over a century been obsessed with whom we are and where we sit both globally and regionally. Why is it then that as a nation we seemingly cannot come to grips with a really big but very basic idea – that Australia is an island, a maritime nation, one that is utterly dependent on the sea for its prosperity and security? Why is it then that our national anthem would be more reflective of our true national outlook, if it said that we were girt by beach, rather being than girt by sea?

Australia's popular psyche is a 'supermarket nation'. Our children grow up thinking that eggs grow in cardboard packages, milk comes from a plastic jug and that consumer electronics are manufactured in the unseen back rooms of the local discount electronics shop. In a modern world our food has no connection to the farm, and our products have no connection to the factory. The fibres of the globalised marketplace are invisible to the consumer. Price – getting the cheapest price – is the focus of the consumer. In the era of the global market place and 'just in time' sales the great irony is that at no time has the quality of life of our citizens been more dependent upon the sea and yet at no time has their understanding of the importance of the sea been less understood.

The quality of life of every Australian, and I dare say that it is true for many other nations in this room, is tied to the sea and the global trade that flows upon this sea. But, if we don't understand the role of the sea in contributing to the wealth of the nation in fishing stocks, oil and gas reserves, as a source of security and the fundamental enabler for trade and economic growth then indeed we are suffering from - if not sea blindness then a severe form of maritime illiteracy.

Alfred Thayer Mahan explored the correlation between sea commerce, wealth generation and national development, and built on the idea of a 'global commons'. Mahan looked beyond the construct of territorial seas and saw the protection of the high seas – or the maritime commons - and the sea commerce that travelled upon it as one of the most important functions of government. A government that invested in Sea Power would be able to influence the global commons and protect the national interest while those that did not could not exert this influence.

The influence of Mahan is manifest in almost all naval staff training. However his theories were set in a win-lose context. That is for your nation to achieve influence you could do so by the use of Sea and naval Power to increase your influence at the expense of others. If your nation could control the global commons that enabled trade, your nation could rise.

Bill Bryson warned that the "The whole of the global economy is based on supplying the cravings of two per cent of the world's population." This is a harsh criticism and the risk that globalisation merely perpetuates the division between developed and developing states must be guarded against, indeed as former Us President Bill Clinton observed "No generation has had the opportunity, as we now have, to build a global economy that leaves no-one behind. It is a wonderful opportunity, but also a profound responsibility." If we are to meet the objective of democratising the global economy so that all might rise one of the underpinning requirements is that the global commons are regulated for the benefit of all against an established set of commonly shared rules.

If we accept then that it is possible to act in common endeavour to safeguard equal access to the sea and the commons then there are three steps that we need to consider.

The first step is to build the awareness of a nation – and those nations with whom they share interdependence – about the importance of the sea and our shared obligations to regulate the region for the interest of the many – and not the few. We need to explain that the territorial sea depends upon the connecting and interdependent commons that belong to all, and not to one; that the commons are not a free good and an unregulated commons threatens all who depend upon the interconnected fibres of a global economy. Recognition that the global commons – in particular sea, air, cyber and space – are common goods and the success with which we manage this collectively will determine the extent to which we are able to leverage the benefits of the global economy to all is critical to establishing common cause.

If the first step to counter sea blindness is building this shared awareness to the importance of the maritime domain, to foster the maritime literacy of our citizens if you will, and in so doing demonstrate the interdependencies we share through the global maritime commons then the second step must be the promotion of the rules that underpin a practical rules based global order that allow all to benefit from the commons we share.

Until the mid-twentieth century, most nations adhered to the freedom-of-the-seas doctrine, which originated in the seventeenth century. The freedom-of-the-seas doctrine granted nations jurisdiction over the oceans for an area extending three nautical miles from shore. Nations considered the waters beyond this three-mile limit to be international waters that were open to all nations but not belonging to any one nation in particular.

In fact the freedom of the seas doctrine was a compromise of sorts. Robin Churchill and Alexander Lowe observed that in the 15th Century there were many claims over the high seas – or

what we might now call the maritime commons. Sweden and Denmark claimed large parts of the Baltic and Norwegian Sea; Venice had claims in the Adriatic and Genoa in the Pisa and Ligurian Seas; and Britain claimed control of the ill-defined British Seas.

However one of the boldest claims was signed In June 1494 in which Spain and Portugal agreed to the Treaty of Tordesillas, which in effect divided the world into two hemispheres of influence between the two nations. As you would imagine this outcome was not so welcomed by the 'emerging' economies of the day – the Dutch, Spanish and English and this led to the legal debates of the 17th Century led by Grotius in Mare Liberum and countered – in part - by John Seldon in Mare Clausum.

By the mid-twentieth century, deep-sea discoveries and technological advancements led several nations to question the continued utility of the freedom-of-the-seas doctrine. Offshore petroleum and gas reserves were also discovered on continental shelves in the North Sea and off the coast of North America.

In 1945, in order to protect oil, gas, and mineral reserves, U.S. President Harry Truman declared that the United States had jurisdiction over the entire continental shelf. President Truman's declaration made the United States the first nation to abandon the freedom-of-the-seas doctrine.

Other nations followed suit and abandoned the freedom-of-the-seas doctrine in order to protect mineral deposits, petroleum reserves, and rapidly depleting fish stocks. Many nations also became concerned about the environmental damage caused by pollution and overfishing. Nations soon became involved in numerous territorial and sovereignty claims as they competed for the oceans' vast resources and debated the issue of the rights of ships to pass through their waters.

Perversely, at a time when there was a dawning awareness of the need to regulate the resources of the sea, there was a rush of nations that started to act unilaterally rather than multilaterally.

In 1967, Arvid Pardo, Malta's ambassador to the United Nations, called on all nations to address the environmental, economic, legal, and political issues surrounding the exploration and use of the oceans and seabed. In 1973, the Third United Nations Conference on the Law of the Sea convened in New York City. Nine years later, in 1982, the conference adopted what we know as the United Nations Convention on the Law of the Sea (UNCLOS).

UNCLOS provides us the basis for the rules based order required to collaborate in the global commons. There is no basis for us to foster a shared awareness of these commons absent a shared commitment to UNCLOS that enables transparent interdependence safeguarded by a common set of rules. While we may not always agree on the application of these rules, there are means to arbitrate dispute in order to foster an enduring commitment to a single standard.

A recent example of the importance of this is the resolution of the dispute between Australia and Timor-Leste. In the resolution Australia and East Timor have reached agreement on a maritime boundary as well as sharing arrangements for the $US50 billion Greater Sunrise oil and gas field.

Professor Michael Leach of Swinburne University said the result was a "clear endorsement" of a conciliation process triggered by East Timor under the UN Convention of the Law of the Sea. The negotiations were the first of their kind under the UN convention.

While we may not always agree – UNCLOS provides a basis to reach the sort of conciliated settlements needed to effectively govern the commons.

The final step in ensuring the global commons are effectively managed for the benefit of all is the ability and commitment to act in a multilateral way to safeguard the commons around an agreed set of standards.

The challenges to good order at sea are well known by this audience and indeed have been discussed by a number of the speakers thus far, and also in the sessions to follow.

Threats to Global trade manifest themselves in the most obvious form in the piracy that has both a direct impact as they manifest themselves in areas that stretch from the Bab El Mandeb to the Sulu Sea, and manifest indirectly through increased insurance and operating costs that act as a brake to maritime trade.

But less obviously these threats include things such as the rise of Illegal and Unregulated Fishing, Environmental damage – both wilful and negligent through act and omission, through the maritime crime that seeks to use the sea as a vehicle to traffic arms and illicit cargo, the social cost of human trafficking and the risk to fragile environments through breaches to quarantine laws.

Each of these threats, which so often present themselves extra-territorially upon the maritime commons, present a significant threat to the wealth of the nations whose lifeblood passes through the commons. A World Bank Report in 2013 reported that the cost of Somali piracy alone was some $18Billion a year in direct and indirect costs to the global economy.

History tells us however that collective action can impact upon these threats. In the period 2011 -2013 Piracy attacks in East Africa fell from an annual high of 160 to just 10 attacks in the period. Collective action can and does work.

To achieve this outcome we need the will to act, the authority to act and the structure to shape coordinated action. In our region, apart from the structure provided by the Coalition Maritime Force (CMF) structure in Bahrain we have relatively few integrating operational level entities.

While it would be wrong to say that CMF alone has driven the improvements in the maritime domain, they along with the commitment of Japan, China, the EU, UK MTO, and NATO as well as a range of other independent deployers coordinated under the umbrella of SHADE, have created the

pressurised battlespace that have driven down the prevalence of maritime crime. This model of shared action around a shared interest in the global commons has significant potential for wider application.

The fundamental question we face is what will be the framework around which we organise across the commons. In some sense the question is not interoperability itself – we will clearly need a degree of interoperability but this will be a second order issue that follows a decision around a framework. What we lack more than interoperability is a regional framework that shapes collegiate responses to common threats.

If we could address one thing in our regional fora – and this assumes that a regional response will be the right means for doing this – it might best be around to what framework will we commit in this region to act collectively to advance the collective interest.

Interoperability is not an absolute – there are degrees, or a spectrum of interoperability that are determined by the mission, the size and the degree of strategic alignment. CMF is a 32 nation partnership that has achieved significant outcomes in the Maritime Security domain. CMF nations are united in their desire to protect the free flow of commerce, improve maritime security and to deter illicit activity in the CMF Area of Operations.

However, the 32 nations that comprise CMF are not bound by either a fixed political or military mandate. CMF's main focus areas are defeating terrorism, preventing piracy, encouraging regional cooperation, and promoting a safe maritime environment. However, CMFs level of interoperability does not place an excessive demand on its members. Why CMF is effective is because it has the three core requirements of effective collaboration;

- a shared vision for security in the maritime commons,
- a shared commitment to a rules based order around the UNCLOS foundation, and

- a willingness to collaborate around a framework that drives appropriate interoperability around a shared mission.

Returning therefore to the question today; I would argue that while developing interoperability is important to achieving an ability to act effectively, the strategically significant first step is the need to agree an operational framework that enables the ability to act in concert based around a consistent set of standards. In our region CMF is a positive model of how that collaboration could work to overcome sea blindness and assure the commons, but the remit of CMF is geographically constrained.

The strategic choice ahead of us is how might we organise ourselves to act in a cooperative manner to manage to our mutual benefit the Indian Ocean, the third largest of the world's oceanic divisions, covering 27,240,000 sq mi or approximately 20% of the water on the Earth's surface.

If the 32 nation CMF manages 3.2 million square miles – what would be needed to coordinate actions across an area 9 times that size. That is the truly strategic question and the single largest challenge as we seek better ways to govern the maritime commons of our region on which we all depend.

Thank you.