

Impact of Information Sharing Networks:

Views from the Regional Maritime Information Sharing Centre in Yemen

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“Experience demonstrates that multinational cooperation arrangements, between and among states, regions and institutions, can provide the means to reduce the risk of unprovoked attacks on innocent ships, including through coordinated patrols in high-risk areas; information sharing and training; intelligence exchange; and hot pursuit following attacks. Let us maintain and increase our efforts to do so.”

Efthimios Mitropoulos

Former Secretary-General, International Maritime Organization

The current decade has seen the reemergence of maritime piracy as a threat to the physical safety and security of international trade, notably following the escalation of piracy incidents off the coast of Somalia. The transnational nature of the menace required coordinated efforts to address it. It has proven difficult to argue against the notion that piracy cannot be faced by a single state and that multinational collaboration is indispensable to address this issue in order to secure the Sea Lines of Communications (SLOCs). States now acknowledge this and firmly believe that a significant part of a long term strategy to counter piracy can only be achieved through a regional response. The idea is to build a regional maritime security policy able to cope with the problem in the long term, inspired by the success achieved in South East Asia where the problem of piracy and armed robbery at sea has been addressed through the implementation of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against ships in Asia (ReCAAP) that provides a regional structure for cooperation and communication. 21 countries from the Western Indian Ocean Region decided to replicate this process in the region. The ReCAAP Information Sharing Centre (ISC) is the backbone of the Regional Cooperative Agreement in South East Asia and its deep experience has demonstrated information sharing as a fundamental requirement for meeting the many

challenges of piracy. This chapter intends to study the role of information sharing networks and their effectiveness in the fight against piracy.

In January 2009, the Djibouti Code of Conduct Concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden and the Red Sea (DCoC) was adopted. The Code represented a regional response to counter piracy and it was the first government-to-government (G2G) multinational initiative of its kind to cooperate in addressing a transnational crime in the Horn of Africa. The Code is centered on four pillars: training, capacity building, review of national legislation and information sharing. It calls for promoting the sharing of relevant information through a system of information sharing centers and national focal points.

It would be difficult to argue against the idea that information sharing is vital to ensure successful cooperation at all levels in the fight against piracy. This notion has been supported by UN Security Council Resolutions related to the suppression of piracy and armed robbery at sea that urge all States to sharing information on acts related to piracy and armed robbery at sea. The UN General Assembly has also emphasized the importance of information as part of international cooperation in addressing the problem of piracy.

At the regional level, information sharing promotes greater cooperation and better coordination of efforts in the suppression of piracy. A key feature of the DCoC is the creation of three Information Sharing Centers (ISCs) based in Yemen, Kenya and Tanzania. The role of these centers is to collect, collate and disseminate to all participants information received from signatory states and to ensure a quick and reliable flow of information between them.

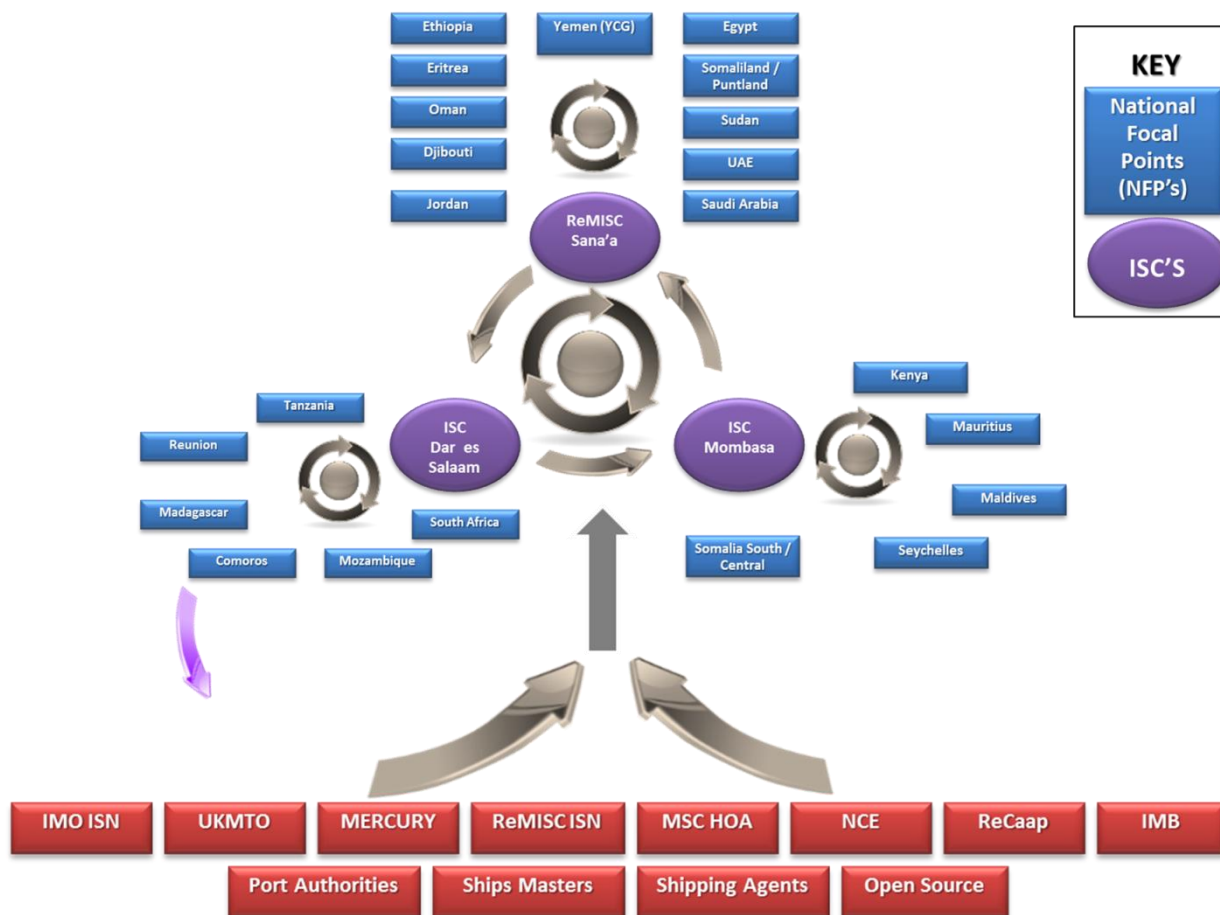


Diagram: DCoC's Information Sharing Network

To ensure maximum synergy between the ISCs and signatory states, the Code requests each member to designate a single national focal point (NFP). Such designation of 'central authority' at national level centralizes the flow of information and prevents the duplication of work, overcomes language barriers, establishes personal working relationships and builds trust and confidence which are often key factors in facilitating effective and timely regional cooperation.

At the national level, inter-agency information sharing is a critical pre-requisite to achieving cross border cooperation. In order to achieve this result, decision makers and operators have to change their traditional perception from information "ownership" to information "stewardship". The Code encourages embracing the new perception of information sharing and foresees the NFPs facilitating the coordinated, timely and effective flow of information domestically through an inter-agency coordination mechanism, and regionally through communicating with the respective ISCs and other neighboring NFPs. The Counter-Piracy

Coordinator for the United Nations Office on Drugs and Crime (UNODC) summarizes the above concept through the following: “if a state cannot talk to itself first, then it cannot feed properly into regional and international frameworks”.

Another important player in the fight against piracy is the private sector, including ship owners, operators and insurance companies. The role of the private sector is significant in the field of information sharing since they have access to crucial data and are also in a position to enable the collection of evidence by the maritime law enforcement agencies. Ships and crew have unique insight into the risk areas, methods and motivations of pirates. Nevertheless, cooperation in the field of information sharing between the private sector and governmental agencies has until now not been seamless. Experience has shown that shipping companies are still somewhat reluctant to share information with governmental agencies. This is driven by the assessment that the ship may be held back at ports with its crew for investigation and collection of evidence, which may have some implications on its journey and company reputation. And time is money for the ship owners. Effective information sharing with all stakeholders, including the private sector, allows for anticipating the threat thus enhancing the prospect of responding in a coordinated manner. The Information Sharing Network created under the DCoC therefore adopted some policies to bridge the gap between the shipping industry and governmental agencies. These policies aim at building trust and confidence by conducting frequent visits to ports and briefing ships’ masters and crew about newly established regional maritime security structures and the role of NFPs in member states, and providing their contact details. Furthermore, meeting the shipping industry representatives at international venues, conferences, workshops and holding discussions with them paves the way for potential areas of cooperation. These initiatives, over the time, have facilitated building trust-based relationships between the shipping industry and the governmental agencies.

In fact, the Information Sharing Network established under the DCoC is a platform that links the National Focal Points with regional and international key players such EUNAVFOR, UKMTO, the maritime private sector, and others. However, the direct impact of such information sharing networks in addressing piracy cannot be assessed without associating it with other factors that have led to the positive decline of piracy in the last two years. There are four factors that explain the decline of piracy: active defense measures by the shipping

industry including the adherence to the best management practices (BMP4) and the employment of armed guards, the prosecution of suspected pirates, local communities' declining support of pirates and, finally, the international naval patrols and surveillance. Existing systems to curb piracy cannot work without an efficient information sharing network, which is essential to link all stakeholders and ensure that all efforts are well coordinated.

The menace of piracy has demonstrated that maritime security threats tend to be challenging and prove difficult to eradicate once they have emerged, making prevention strategies and cooperative mechanisms essential. If threats cannot be avoided, it is important to have an early warning system and prompt response mechanisms in place. This emphasizes the importance of creating a regional cooperative Maritime Situational Awareness Center which will ultimately enable the ISCs to provide early warning. The added value of the ISCs developed under the DCoC will bear fruit once the ISCs start performing information analysis to anticipate possible threats to the maritime domain. However, it is important to take into consideration that if a line of communication is used for piracy, it can certainly be used for other crimes including illegal fishing, intentional oil spills, and human and weapons trafficking. Moreover, the UN Monitoring Group has reported recently that pirates have not gone out of business, but instead moved their focus to other illicit business. However, the necessary cross-border co-operation needed to counter piracy has also opened a window of opportunity to create regional maritime governance structures and build sustainable institutions. Nevertheless, there remains a risk that the momentum of this cooperation could get lost with the drastic decline of piracy incidents.

DCoC in its current dimension (non-binding agreement and related to piracy only) is not able to address alone all of these emerging challenges; it will require a fundamental change of mindset from the region to address these latter concerns.

In conclusion, the menace of piracy is a serious threat to world peace and security. Recent developments in the fight against this phenomenon have proven that it cannot be dealt with by a single state, but only through multinational cooperation and coordination. Although measuring the impact of information sharing cannot be examined without associating it with other factors, it is a key enabler to achieving effective cooperation and coordination amongst all stakeholders, including the private sector. The DCoC information sharing network is a

paramount part of the regional holistic approach to address maritime threats. Through the creation of Maritime Situational Awareness, the ISCs provide an effective warning system. The remarkable level of regional cooperation that has been achieved so far in countering piracy is at risk if DCoC continues to be unbinding and solely focused on piracy.

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