THEORETICAL FRAMEWORK FOR NON TRADITIONAL MARITIME SECUIRTY

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Abstract

The discussion that arose around the Security Studies study area following the conclusion of the Cold War provides a useful foundation for understanding this intellectual tradition. "Military power is the central focus of the field," according to Stephen Walt, who was merely restating the discipline's conventional wisdom. Walt contended that despite efforts to broaden the definition of security, the subject would not benefit from losing its "intellectual coherence," given its sensitivity to the internal reasoning behind the field's development. His warning to scholars in the domain to furnish the prerequisites of the scientific canon demonstrated his devotion to science as a philosophical approach to study political life. This was seen as a call for "public documentation of theoretical and empirical claims, unbiased measurement of critical concepts, and careful and consistent use of terms."[1]

Thus, the demands of Security Studies were understood to expressly legitimise a pragmatic instrumental social engineering tendency. Since state survival was ultimately what mattered, the national security issue remained at the centre of the endeavour. Walt thought that people who oppose constrictive security measures should likewise direct their investigation towards this goal, rather than only those in positions of authority. In order to grasp his perspective on this issue, it is helpful to note that '[t]he steadfast conviction that those opposed to war ought not to research Comparing national security to trying to treat cancer by not studying medicine and letting tobacco firms be the only ones conducting research on the illness. Walt effectively indicates that it is worthwhile to investigate other perspectives on security, but he ultimately returns to his main concern of "under what conditions should states employ military force and for what purposes?"

Keywords: Theoretical framework, non-traditional maritime security threat

INTRODUCTION

Edward A. Kolodjiez presented a compelling argument for closely examining the state itself, in stark contrast to Walt's limited interpretation of the fundamental issues in Security Studies. He also expressed great caution about the endeavour to diminish the significance social sciences in order to that of the "handmaiden of Grand Strategy." Additionally, he is cautious about the strong inclination to prioritise 'relevant' to the decision-maker viewpoint above all others, frequently at the price of more expansive normative security conceptions. Kolodjiez reminds us of "the

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[1] R.B.J. Walker, 'Security, Sovereignty, and the Challenge of World Politics' Alternatives, XV (1990), pp.3-27

amazing ethnocentrism of the survey, alluded to earlier in its omission of European and Third World theorists and in its survey of Cold War literature," which is a particularly telling passage in his criticism of Walt. He contends that Studying security is limited to "American security studies" as a result of this parochialism.[2]

Kolodjiez's argument for increased active participation in normative discussions about force and political community, not decreased, however, is what makes his criticism of Walt the most valuable. The competing normative human theories behaviour are also discounted in Walt's plan "in the declaration of a questionable realism, sympathetic to the rationalisation of threats and violence that coerce. The emotional and professional burdens are removed from the security analyst obligation to challenge the theory's boundaries once they are bound by the normative straitjacket of the essay, and their only task is to refine their expectations of state behaviour in accordance with realist norms. Kolodjiez also criticises realism's propensity to downplay internal variables in favour of concentrating on the outside causes of instability.

This perspective's area of study includes, in particular, concerns about state legitimacy and internal civil unrest. Based on a more comprehensive analysis, Kolodjiez leans towards the belief that " As governments and individuals throughout the world scramble to establish a temporary world order, policymakers' fixation on short time horizons is a sign of their historical myopia social scientists and historians possess traditionally categorised as a state warfare could instead be seen as a protracted series of civil conflicts inside what is increasingly thought to be a slowly taking shape global system.[3]

The way that security is seen in the South Asian setting has also been influenced by discussions about the discipline's content. A book that Dipankar Banerjee edited, which compiles a plethora of comments from academics in various South Asian countries particularly answering to the "challenges" given in this part of the world by Security Studies, is especially pertinent to our investigation. Jayadeva Uyangoda delivers a somewhat caustic critique of South Asian social science research that frequently colludes in conjunction with the State. The issue with security studies, he notes, is that it imprisons people discursively in the nation-state narrative of human destiny. Uyangoda makes a compelling case for the historical foundation of the contemporary nation-state and is nonetheless very critical of the "fetish" for boundaries that permeates the security discourse in South Asia. He emphasises the state's unnaturalness as a political community and continues to criticise the violence of the modernity agenda. The state is shown as a "historically contingent" aspect of the existence of humans rather than a static conception of politics. Regretfully, Uyangoda observes that narratives of the contemporary nation state have not been met with this care; rather, there has been a propensity to elevate the "modern."

For Uyangoda, therefore, admitting that the "de-sanctification of territorial borders would open up unprecedented possibilities for a new paradigm of security in South Asia" is the sole means of escape from the current deadlock. P. R. Chari notes a similar Western slant in a careful assessment of the situation of security studies in India, which Kolodjiez emphasised with regard to Walt's paradigm. Five unsettling trends that have emerged in India's security studies field are listed by Chari.[4] First, he notes that there aren't many reputable institutions that handle the area carefully; Second, there's a propensity to be quite conformist because of concern about stepping on the toes of the powerful; and Third, individuals who work inside the system haven't had much time to think about decision-making or other aspects of the nation's security administration; Fourth, scholars and decision-makers appear to come from different worlds that cannot be reconciled or discussed; and lastly, even in security studies, theory has suffered disciplines in India.

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[2] Of relevance here is the edited volume by Martha C. Nussbaum and Amartya Sen, The Qualify of Life (New Delhi: Oxford University Press, Fifth Impression 2002).
[3] Edward A.Kolodjiez, 'Renaissance in Security Studies? Caveat Lector!'
[4] P.R. Chari, 'Security Studies in India: Recent Trends and Future Directions'.

Furthermore, Prabhakar notes that South Asian security issues have a tendency to focus on India, although Indian security thought has traditionally been state-centric. In addition to endorsing a multidisciplinary strategy, Prabhakar criticises the adhocist methods that have defined earlier Security Studies initiatives and suggests "lateral mobility" between the commercial and public domains to increase the conversation's short- and long-term value. In a similar spirit, V. R. Raghavan sees a much greater urgency to solve non-traditional security challenges in South Asia, from financial crimes made possible by leveraging on recent technical advancements to small guns, drug trafficking, and ethnic clashes.[5]

The environment of globalisation is likely to make non-traditional risks more salient. The statement "the global community has become too small, and the destinies of its members too intertwined for any nation to think in narrow traditional terms" by Theodore C. Sorensen effectively captures this way of thinking. According to Jessica Tuchman Mathews, there is a need to include the following in the broad concept of national security: environmental, demographic, and resource concerns, as current global developments indicate.

REALISM AND NON-TRADITIONAL SECURITY METHODS

The very nature of unconventional forms of protection implies that it differs from "traditional" or "realist" security methodologies. The principles of realism and their consequences for understanding non-traditional security risks are the main topics of this chapter. There are other conflicting strains of realism, as Stephen Walt reminds us in a new assessment on the persistence of realism in international relations.[6]

Nonetheless, consensus is frequently reached on a few fundamental questions that allow us to initially address these disparate threads as a group or family of realisms. Once more, according to the scholarly conventional estimates in the field of international relations, we ought to be particularly aware of the assertions made by Hans Morgenthau in International Politics, his groundbreaking book. As we move forward I try to look at his six political realisms tenets and suggest to our readers what implications they might have for a realist interpretation regarding security that is not conventional. Next, I go deeper into Kenneth Waltz's writings, elaborating on some of his main ideas and analysing how they diverge from the perspective of classical realism. Finally, I pose the same query again, this time in the framework of structural realism, considering the implications it might have for an unconventional conception of security.

Traditionally, in order to be a Western canonical puritan realist, you would probably start methodically by reading the works of the renowned historian Thucydides. The Peloponnesian War between the Spartans and the Athenians had an intriguing conversational preface in the form of the Melian Dialogue. A truism in the realist mind is confirmed by the Athenians' unwavering desire of triumph. They tell the Melians, assuming that they are in agreement, that "since you know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can and the weak suffer what they must."

Edward Hallet Carr, another well-known realism, similarly echoes the focus based on power and the morality of being equivalent to the standard position of the powerful in his writing. Carr stated in his reflections on the world during the interwar period that powerful states or groups of nations produce notions of international morality. In particular, for the last 100 years Since 1918, individuals who speak English have constituted the majority group worldwide.

As a result, contemporary conceptions of international morality are formulated in their unique vernacular and intended to uphold their dominance. For these reasons, France, which briefly regained its position of supremacy after 1918 and

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[5] V.R. Raghavan, 'Post-Cold War Security Studies in India: Continuity and Change'.
[6] Uyangoda, 'Nation-State, Security Studies and the Question of Margins in South Asia'.

kept some elements of her eighteenth-century culture, has stayed outside the exclusive group of people who shape global morality. The fact that the English-speaking peoples have primarily created the existing international moral standards through a natural and inevitable process can be used to refute both the claims that they possess monopolies on global morality and the claims that they are the epitome of worldwide hypocrites.

Additionally, Carr acknowledged the innate propensity for status quoism by the great nations believing that maintaining their position of dominance and accepting the status quo was in their best interests. According to his observations, privileged groups use the theory of the harmony of interests as a cunning moral tool to uphold and defend their dominating positions, all while acting in good faith. However, there is one more thing to mention. The privileged group's dominance within the community can be so strong—and frequently is—that there is actually the idea that the community's interests are the group's interests because its survival depends on the welfare of other community members, and its collapse would mean the community's collapse in its whole. Therefore, as Regarding the alleged convergence of interests is a prime example of the Machiavellian maxim that morality results from authority since it is produced by the disproportionate the privileged group's power. If interests have any validity at all. Like the majority of realists, Carr also gave military might and territoriality a lot of consideration.

THE CLASSICAL REALIST PREDISPOSITIONS

Returning to our original topic, Hans Morgenthau's work represents the realists of ancient times stream and keeps providing numerous students with a trustworthy and credible understanding of how international politics operate. What did Morgenthau mean by theory? "To bring order and meaning to a mass of phenomena which without it would remain disconnected and unintelligible," was the stated goal of theory, according to Morgenthau. He continued by naming six fundamental ideas of political realism, which are still used by both scholars and professionals in the field of world politics to try and interpret trends in the current state of international politics.

In order to formulate theoretical statements that have any relevance in the field of international relations, Morgenthau places particular stress on reason as a rudder. He uses the word "rationality" to express the fundamental idea that "objective laws that have their roots in human nature" regulate international politics. According to him, foreign policies serve as the primary lens through which to view the dynamics controlling international relations, which are really a domain of interstate interactions. He contends that "we have to examine political reality using a sort of logical framework, a road map that indicates to us the potential interpretations of international relations. Therefore, "the testing of rational hypothesis against the actual facts of international politics" is the ultimate goal of the theory of international relations realism.

The idea that "the concept of interest is defined in terms of power" forms the second tenet of the classical realist interpretation. The idea behind reducing power to interests stems from Morgenthau's conception of theory as essentially a way to rationally select some logical criteria to reduce complex reality. As a result, universal interests expressed by states in accordance with their capacities and needs for power mirror objective rules. Morgenthau feels he spares us from a fruitless and annoying hunt for clarification by concentrating on certain elements. He notes that the dependent components of Foreign policies will inevitably go off course due to factors such as personality, bias, personal taste, and all the defects in knowledge and volition that be inherited by flesh.

The necessity of mobilising public sentiment in favour of foreign policy always threatens to undermine the logic of international relations itself, particularly when it is carried out in an environment of domestic control. However, in order to achieve rationality, a theory of international relations must temporarily, in a sense, abstract from these irrational components and attempt to depict the rational core of experience, free from the dependent departures from reason that occur in experience as well.

Probably the most insightful for experts in the industry Morgenthau advises against a few diversionary topics that obstruct the path to a thorough political analysis in of International Relations. The political encounter is one of the most notable examples of how The intention to act is present in the human mind when it approaches reality but it is frequently misguided by one includes four typical mental phenomena: demonological interpretations of reality; shells of formerly functional thought and behaviour patterns that have been superseded by a new social reality that replace the real world with a fictional one that is populated by evil people rather than by problems that appear insurmountable; refusal to accept a dangerous situation by downplaying it through fictitious language; and dependence on the unbounded flexibility of an apparently unyielding reality.

Third, the assertion that according to classical realists, "interest defined in terms of power is an objective category which is universally valid, but it does not endow that concept with a meaning that is fixed once and for all." is what they claim. Nonetheless, Morgenthau is prepared to acknowledge that "the contemporary connection between interest and the nation-state is a product of history, and is therefore bound to disappear in the course of history," even while he maintains that interests continue to be the applicable standard. Thus, while striving to extract broadly applicable lessons from the entirety of the human experience, classical realism is willing to take history into consideration.

The fourth claim put out by classical realists is that caution is still a crucial factor in judging all aspects of politics. "Political morality cannot exist without prudence," according to Morgenthau, "that is, without taking into account the political consequences of seemingly moral action." Morgenthau stresses the requirement that every political realist be "...able to judge other nations as we judge our own, and, having judged them in this fashion, we then are capable of pursuing policies that respect the interests of other nations, while protecting and promoting those of our own," all the while advocating for "moderation of moral judgement." Morgenthau concludes by saying his particular style of realism embodies a "distinctive intellectual and moral attitude to matters political." He believes that international politics will soon be able to appropriately mimic the sophistication of economics as a discipline.

For realists who practise classical theory, without a question, the state continues to serve as the benchmark for evaluating recent changes in international politics. Classical realists, however, often frequently uphold a division between "high politics" and "low politics." The latter is thought to deal with milder economic topics, whereas the former deals with military matters. It makes more sense to classify nontraditional security challenges under "low politics." "High politics" is valued by classical realists, who only care about "low politics" when it affects "high politics." Their preference for the state as the primary security referent clearly reveals this. Therefore, even though non-traditional security would be accepted by classical realists risks, they would primarily measure this impact from the standpoint of how it affects the nation. Having said that, Morgenthau does admit, in contrast to several of his intellectual contemporaries, that realism has a few of his cerebral significant normative component. While acknowledging "contingent deviations from rationality which are also found in experience," he maintains that theory creation needs that it concentrate on rational features of politics.

THE STRUCTURAL REALIST PREDISPOSITIONS

Kenneth Waltz's writings present Structural Realism, sometimes known as Neo-Realism, which is a highly prominent form of realism. Theory of International Politics, his book, which was released in the latter part of the 1970s, is his most well-known work. At this point, it is probably pertinent to enquire as to how Waltz differs from Morgenthau, his intellectual forerunner, and how structural realism has managed to so effectively usurp the influence of classical realists.

First of all, how does Waltz view the process of theory development? Waltz defines a theory as "a mentally formed picture of a bounded realm or domain of activity." A theory is an illustration of how a domain is organised and how its

components relate to one another. The limitless resources of any realms can be arranged in countless ways. A theory describes the relationships between many factors and suggests which ones are more significant than others. In actuality, one area cannot be isolated from the others; everything is interconnected. Similar to Morgenthau, Waltz is prepared to acknowledge that reductionism and abstraction are both involved in the process of developing theories. Waltz notes that theory serves the purpose of isolating one sphere from all others in order to address it intellectually. Developing a theory to describe what occurs within a realm requires first isolating it. "Theories are combinations of descriptive and theoretical statements," the speaker continues.

The non-factual components of a theory are its theoretical assertions. They are only introduced when they enable justification. The utility of the theory that a theoretical idea is a part of determines its value. Morgenthau's traditional realist approach is fundamentally criticised by Waltz because it "confused the problem of developing a theory of international politics with the problem of explaining foreign policy." Waltz also disagrees with the idea that power should be seen as a goal unto itself. He contends that "states' primary concern is security, not power." The neorealist explanation of the world treats what one may see as the advantages of classical realism as shortcomings. For example, Morgenthau's openness to recognise the contingent element in politics is criticised by Waltz. This amounted to a "dampening of his theoretical ambition," in his opinion.

How may the fundamental ideas of neorealism be summarised? From the perspective of neorealism theory, Waltz claims, "the two truths of life in anarchic conditions directly lead to competition and conflict among states: In anarchic order, states are required to ensure their own security, and there are many real or perceived dangers to that security. Being fixated on spotting threats and averting them turns into a way of life. Relations are tense and often unpleasant, even though the actors may not be inherently suspicious or unfriendly. States may only be enhancing their security to the extent that they can on an individual basis. Putting aside their own intentions, their combined activities result in arms alliances and races.[7]

Additional "neo-realist theory" demonstrates that the often intense struggle that characterises the global arena does not need the assumption of an underlying hunger for power. If everyone in anarchic territory lusts for authority, then there is a state of war. However, if every state just wants to secure its own security, then there will also be a state of war. In order to explain structural realists' receptivity—or lack thereof—to non-traditional security techniques, it's vital to comprehend their fundamental tenets and underlying concerns. Though I don't go into detail on how a structural realist might respond in practice to particular non-conventional security issues, the only item of importance in this case is how they see non-conventional security issues in the grand overall arrangement.

Waltz views organisation as a component of the global system. Even although the framework "makes it possible to think of the system as a whole," the fact that it is further made up of states is still relevant. "To define a structure requires ignoring how units relate with one another (how they interact) and concentrating on how they stand in relation to one another (how they are arranged or positioned)," argues Waltz, articulating a uniquely positional explanation of international politics. The way that units are grouped is decided by the system. Accordingly, he would only consider arrangements to be structural modifications.

Waltz expands on the three standards by which to assess how well the global system functions. The first step is to evaluate what the political ordering principle is. He defines anarchy as the defining a characteristic of the global system and hierarchy as the organising principle in the domestic sphere. This is a significant step that will affect structural realists' broader conception of international politics. In this situation, Waltz adds, "international politics is more akin to a free-for-all." To the extent that the self-help concept is permitted to function in the market economy, international

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[7] Kenneth Waltz, 'The Origins of War in Neorealist Theory' in Betts ed. Conflict After the Cold War...', p.89.

politics and that latter are structurally identical. The "character of units" is the second characteristic that sets them apart.[8]

Waltz claims that every state has a tendency are "similar units." They all want to survive, and they all use the strategies that will help them do so. Structural realists see the state as the only political unit and interpret international politics through its prism. They contend that "the structure of international politics is defined in terms of the major states, as long as they are the major actors," despite acknowledging inequality as an obvious condition of affairs in international politics. The emphasis placed on the "distribution of capabilities" is a third, but no less important, aspect of the Structural Realist cosmos. "Changes in the distribution of capabilities across the system's units affect a system's structure," according to Waltz. Waltz uses the term "capabilities" to refer to both economic and strategic capabilities.

In the end, nevertheless, what counts will be the "combined capabilities" of nations. Because of its overall strength or mix of these resources, the United States occupies the top position on the capability pyramid. Even though Morgenthau and other classical realists were willing to give moral questions some normative space, they advised against ethical and political behaviour unless it takes into account both the lessons of sound theory and the actual practices of governments. Neorealism, which focusses on the "distribution of capabilities" and the subsequent positioning tactics that respective states adopt, is far more contemptuous of the ethical/moral cliché and does not interact with it seriously at all. Critics of structural realism do exist, nevertheless.

Even in realism, one might explain variations within. The security conundrums facing the third world are explained by Mohammed Ayoob by applying what he terms a subaltern realism perspective. That being said, he still regards state security as a fundamental value. In his observation, he states that "the state becomes the primary referent of security in my definition because it is (or, where it is not, is supposed to be) engaged in the authoritative allocation of social values within territorially defined political and administrative entities."[9]

THE LIBERAL PROJECT AND NON-TRADITIONAL SECURITY

As per Michael W. Doyle, it is difficult to pinpoint a straightforward "canon" within the liberal context.[10] Even liberalism has a problematic history and is still open to criticism; it has been accused of being complicit with imperialism in the past and its promotion of universal principles encourages a lot of scepticism, especially in the era after colonialism. But we also need to emphasise that liberalism is not a single entity; rather, it has taken on various forms.

If we are to determine which earlier thread current liberal arguments get their philosophical ancestry as well as occasional inspiration, we must pay attention to these contrasts. Doyle distinguishes between liberal internationalism, liberal imperialism, and liberal pacifism. The idea of liberal pacifism is most strongly linked to Joseph Schumpeter's theories. Liberal pacifists' central claim is that "democratic capitalism leads to peace." Despite empirical criticism and the fact that it is not always accurate, Schumpeter's argument is nevertheless significant.

This is a frequent debate that comes up in modern liberal discourse. According to a significant corpus of liberal theory, the likelihood of war decreases as states become more economically interdependent. An analogous dispute has been made even within the South Asian background information on regional collaboration, particularly between India and Pakistan, two governments that have a long history of antagonism. Even with his historical faults, Schumpeter could be seen as a valuable resource for a non-traditional security analyst. It is perhaps a good thing that the economic aspect is given priority over the military one. Such a concentration does not take away from a state's military priorities.

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[8] Walt, 'The Renaissance of Security Studies', pp.211-239.
[9] Mohammed Ayoob, 'Defining Security: A Subaltern Realist Perspective'.
[10] Michael W. Doyle, 'Liberalism and World Politics'.

Schumpeterian, however, are unlikely to support massive military spending since, given the possibility of state-to-state conflict, they see it as utterly foolish. Instead of fuelling military concerns, state energies would be better used to forge economic relationships with prospective enemies and neighbours as well as to reduce trade barriers. Schumpeter's line of reasoning is not without detractors. Niccolo Machiavelli is recognised as the founder of the liberal imperialist intellectual lineage. Although Doyle classifies him as liberal in light of his expressed affinity support republican party governance, notwithstanding the fact that it was motivated by proponents of expansion ambition, many associate his name with realism origins. Doyle encapsulates the Machiavellian mindset in terms that once again nod to classical realism: "We desire to rule or, at least, to stay out of oppression. Regardless of the situation, we desire more from our states and selves than simply material well-being (materialistic monism). We brace for expansion since other states with like objectives consequently pose a threat to us. We expand because, if we do not allow our fellow people to fulfil their ambitions or to vent their political passions through imperial expansion, they will threaten us.

Doyle claims that Machiavelli makes the case that expansionism is necessary to reduce internal division brought on by perceived weaknesses in political power as well as the competitive advantage that exterior powers enjoy. In certain ways, the expansionist fervour differs from the previous Schumpeterian version of liberalism. Even among liberals today, Machiavelli's liberal argument is unlikely to receive unanimous support. As though Markets are always being sought after, and today's imperial designs would face fierce opposition and be socially unacceptable. No liberal state can justify its expansionism by comparing it to an imperial desire for conquest and territory. But Machiavelli might also have hinted at the underlying circumstances that underlie modern liberal endeavours.

Liberal imperialism has historically been validated by the facts, as demonstrated by Rome and Athens during Thucydides' time. There are others who contend that American unilateralism, both historically and currently, bears a resemblance to the imperial nature that Machiavelli hinted to few years prior. Immanuel Kant's legacy is arguably the most well-known divergence in liberal thought. His liberal cosmopolitanism continues to be a common source of inspiration for modern discussions. regarding international politics. It has been maintained—drawing from Kant—that liberal democracies do not wage war on one another. However, in their interactions with non-liberal countries, this has not been the case. Therefore, the idea of a "separate peace" amongst liberal powers is still prevalent today. Amartya Sen's work is the best example of the significant interest generated by the emphasis on using humans as ends in and of themselves rather than just as means in the economic value chain of production.[11] The UNDP Human Development Reports pay homage to this concept that is connected to Kant. Kant thus becomes, in a way, a normative ally of those eager to record unconventional approaches to security. His liberal cosmopolitan viewpoint and concern for peace only serve to make him more likeable additionally to this constituency.

Liberals have a very clear choice: they either accept Kant's pursuit of "perpetual peace" or they may endorse the Machiavellian macho liberalism that promotes expansionism. It's difficult to shake the memory of liberalism's collaboration with imperialism at a specific point in our history. Do imperial initiatives still have hope for success? 'Preserving the memory of the liberal peace without succumbing to the legacy of liberal imprudence is both a moral and geopolitical issue,' it may be important for us to understand. An additional liberal turn to the story in more recent international theoretical considerations was the "complex interdependence" idea that Joseph S. Nye and Robert O. Keohane proposed. The creation of an "ideal type" that was different from the realism that came before it was at risk. Complex interconnectedness was indicated by the following presumptions:

1. There are various channels through which societies are connected, such as informal ties between governmental elites and formal foreign office arrangements, informal tele-communications between non-governmental elites, and

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[11] Amartya Sen, 'Development as Capability Extension' in The Human Development Paradigm' in Fukuda Parr and Shiva Kumar ed. Readings in Human Development, (New Delhi: Oxford University Press, 2003), pp.3-16; esp. p.3.

transnational organisations (like multinational banks or corporations). The terms "interstate," "trans-governmental," and "transnational" might be used to summarise these channels.

2. There are many topics on the interstate relationship agenda, and they are not grouped in a logical or consistent order. Among other aspects, the lack of hierarchy among problems means that military security does not always take precedence over agenda.

3. Governments refrain from using military force against one another or on matters involving complex interdependencies within the region. On some matters, though, it might be significant in these countries' interactions with governments beyond the region. For example, the use of military force may not be necessary to settle disputes over economic matters within an alliance, but it may be crucial for the alliance's military and political ties with a rival bloc.

This endeavour was undoubtedly a daring endeavour to depart from the realism claims that had previously dominated our theoretical imagination in the field of international relations. Given the resistance it would face within the discipline, the claim that military might was not the only factor that mattered was a bold one. A wide range of characters emerged from the necessity to look into "multiple channels," all of whom demand more examination. The theory of complex interdependence was also eager to dissect aspects of state decision-making and the influence that non-governmental actors were exerting on many issue domains. Theoretically, it also seems radical to deny hierarchy within concerns.

This concept is especially beneficial to non-traditional security since it aims to break the security community's long-standing fixation with military security. This implied that livelihoods would remain vulnerable if they were endangered by environmental or economic factors. regarded as valid sources of "security" worry within the field.

Three values in particular have received specific attention from liberal theorists. "Freedom," "cooperation," and "progress" are these. Important tendencies are identified in a historical analysis of the liberal project by Mark W. Zacher and Richard A. Matthew.[12] In this context, they contend that:

(1) liberals have believed—since the late eighteenth century—that international relations are evolving (or most likely will evolve) gradually and erratically along lines that will promote greater human freedom, understood in terms of increases in material welfare, physical security, and opportunities for free expression and political influence (i.e., human rights).

(2) International liberals hold that international cooperation plays a vital role in achieving peace, welfare, and justice, however they disagree on the specifics of this belief of the potential collaboration that will take place. Collaboration via international organisations, respect for international law, and acceptance of moral standards are all examples of cooperation. Although Kant was a prominent early proponent of this viewpoint, it wasn't until after World War I that it became a basic tenet in the minds of most liberals.

(3) Liberals see a number of interdependent dynamics that we see as components of modernisation as driving forces behind peace, welfare, justice, and collaboration. Liberals realised that a significant change in international relations was being facilitated by the scientific and liberal intellectual revolutions starting in the late 1700s." It may be claimed, without going into great detail, that freedom is necessary for a conception of security that isn't conventional. The idea of free will is implied if we consider development to be a "widening of human choice." Regarding the concept of free choice, Marxists are likely to disagree with liberals since they would contend that social and economic structures that are already severely constrained and condition decision. But, from a liberal standpoint, one could counter that, ceteris

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[12] Mark W. Zacher and Richard A. Matthew, 'Liberal International Theory: Common Threads, Divergent Strands'.

paribus, humans have to make decisions in certain situations. Sen's capability-based approach makes this the most apparent.

In this framework, four key premises have been put out.

(1) Liberals view development in terms of human freedom according to liberal international philosophy, which also emphasises the value of liberal democracy, unrestricted commerce, cognitive shifts, dialogues as well as moral standards. Individuals as the main actors in world affairs. Liberals believe that states are the most significant collective actors of our day, yet they are considered as pluralistic entities whose policies and goals are decided by elections and group bargaining.

(2) Liberals see governments' interests as varied, ever-changing, self-serving, and other-centered. Liberals see the power dynamics among interest groups and the values of individuals changing over time, which is why they believe that states' interests (or priorities among interests) are shifting. Additionally, the majority of liberals view state policies as somewhat different since they think that as liberal democracies expand, so does people's concern for one another. One can trace these concepts back to Kant, Rousseau, and Locke.

(3) Liberals think that a range of national and international factors influence state and human interests. In the end, they are decided by the ability of interest groups to negotiate, although a variety of circumstances influence how these organisations define their interests.

(4) Over time, the relative impact of coercion and interest patterns on international outcomes changes, with the influence of interest patterns increasing. Coercion based on power relations plays a significant role in the early phases of modernisation. But noncoercive bargaining and global interest patterns become more significant as liberal democracies, knowledge, and interdependencies, cross-border social links, as well as global organisations expand. It's critical to understand that liberals do not completely minimise power.

THE COPENHAGEN INNOVATION IN SECURITY STUDIES

Conventional security approaches frequently focus primarily on the military component of most evaluations. The intricate military bean counting that dominated thought in the subject during the Cold War may be seen if one takes a quick look at the writings that come from the strategic studies discipline. The majority of the time, security was seen as a matter of military might that needed to be settled via an impartial evaluation of strategic capabilities. The theoretical foundation for this extensively used epistemology was undoubtedly Waltzian either neorealism or structural. Security, according to traditionalists such as Stephen Walt, should be understood as "the study of threat, use and control of military force."

The Research Group in Copenhagen presents its findings as an indictment of the prevalent security paradigm. It intentionally aims to regard security as "a particular type of politics applicable to a wide range of issues" and aims to make the topic more inclusive. Regarding a pedigree, the members of this group are truthful in acknowledging the contributions of multiple opponents of this conventional method both during and following the conclusion of the Cold War. The Copenhagen Research Group supported these initiatives while attempting to refute the accusation of "intellectual incoherence" that was frequently levelled against them in the past. A thorough review of the literature reveals a clear intent to preserve some of the original, conventional while simultaneously creating a core of security move to increase our comprehension of what may be taken into consideration as a real security risk. It is debatable to what extent this resolution was successful. What is undeniable, though, is the rise of a compelling initiative to provide a means of escaping the disciplinary deadlock that previously appeared unbreakable.

Regarding this, the Copenhagen Research Group notes that their key concerns have been to determine first what constitutes a security threat and second how to recognise actors in security from reference objects. The goal of this

endeavour was to allay concerns expressed previously by conformists, whose attempts to create more inclusive concepts of security ultimately resulted in "eliminating all meaning from the security concept." "Securitisation studies aim to gain an increasingly precise understanding of who securitises, on what issues (threats), for whom (referent objects), why, with what results, and not least, under what conditions (i.e. what explains when securitisation is successful)," Buzan, Waever, and Jaap are eager to emphasise to us.

The "level of analysis" conundrum, which bedevils all theoretical attempts in the field of international relations, is another issue that the writers of the Copenhagen approach to security studies grapple with. Although Buzan, Waever, and Jaap recognise the need of determining the appropriate level of analysis for their research, they favour a sectoral approach and contend that "levels are simply ontological referents for where things happen rather than sources of justification in and of themselves."

Based on the assumption period following the Cold War environment acquires a significantly "more regionalised character" than was the case before this, they demonstrate a keen interest in the security dynamics of the region. To further a relational view in international relations is another aspect of this security approach's core objectives. In terms of the Copenhagen project, this means figuring out "for whom security becomes a consideration in relation to whom during the securitisation process." Proponents of a broader definition of security are unwilling to avoid discussing their project's political future. They associate normatively with people who are prepared to give non-traditional threats more serious attention and acknowledge that "in the end, politics will determine the criteria for answering the levels question."

According to this viewpoint, "what constellation of actors forms on an issue" requires consideration. In an attempt to refute the "dominant discourse's" naive "objective" statements, it is overtly political and eager to "keep open the possibility of problematising both actual securitisation and the absence of securitisation." Moreover, it prioritises a social perspective above a technological one when comprehending security. "The ultimate locus of securityness is social rather than technical, and it is between a securitising actor and its audience in reference to something they value," they state clearly in this context. Lastly, the concept of constitutive social practice that leaves its mark is explored by the Copenhagen school. Put another way, the way that security is conceived is determined by the procedures that are in place. "The basic idea of security as a specific social category that arises out of, and is constituted in, political practice" is what they continue to adhere to.

METHODOLOGICAL OBLIGATIONS

The Copenhagen school mainly draws on Social Constructivism as its theoretical foundation in order to justify its methodological decisions. Rather than being a complete theory, constructivism has been viewed more as a method for studying international politics. However, in order to properly evaluate the securitisation literature, it is crucial to outline certain fundamental beliefs and preferences of the Constructivist school. "Social relations make or construct people—ourselves—into the kind of beings we are," according to Constructivism's central tenet. Constructivists continue to have a strong desire to build intersubjectivity and emphasise the "relational" aspect of political identity. The emphasis on intersubjectivity is particularly relevant to the Copenhagen School's endeavours. It is evident that they view "security as a specific kind of intersubjective politics." Buzan, Waever, and Jaap declare at the beginning of their study that "an explicitly social constructivist approach to understand the process by which issues become securitised" is what they would want.

Constructivists like John Gerard Ruggie, Alexander Wendt, and Nicholas Onuf are some of its most well-known proponents. In her thought-provoking piece "Anarchy is what states make of it," Wendt problematises ideas of anarchy and self-help while also challenging some of neorealism's central tenets. highlighting how both neoliberalism and neorealism are similar in In in terms of their unwavering adherence to rationalism, Wendt characterises constructivism

in the deviating from the norm. "A cognitive, intersubjective conception of process in which identities and interests are endogenous to interaction, rather than a rationalist-behavioural one in which they are exogenous," the author contends, is the foundation of constructivism. Moreover, constructivism emphasises the importance of political "process." Regarding epistemology, "people act towards objects based on the meanings that the objects have for them" is a core tenet of constructivist social theory. Such comprehension contributes to a criticism of neorealist theory. States behave differently towards allies because, as Wendt notes, "friends are not threatening, but enemies are." Furthermore, Wendt admits that "distribution of power" calculations are not entirely valid, even though that "their states conceptions of self and other are composed of the distribution of knowledge."[13]

Constructivism rejects neorealist axiomatic assertions in favour of investigating the social foundations of identity and interests. It pays close attention to defining the larger social environment where identities and passions are being expressed, for example, and does not presume a permanent "portfolio of interests" with reference to states. This suggests that, from the perspective of a security lens, "social threats are constructed, not natural." Although dangers are occasionally portrayed as "objective," Wendt contends that this perception alone develops once a social structure has been properly "constituted." The fundamental tenet of the contemporary nation-state structure, the idea of sovereignty, is rather than a final set of norms that are created in a way that is distinct from practice, norms are actually "an ongoing accomplishment of practice."[14]

Constructivists like to emphasise the dynamic elements of social environments and claim that "agents are continuously choosing now the preferences they will have later through practice." A new "nascent social consensus" may emerge in response to changes in the global environment, according to constructivists like Wendt. However, this theory requires that actors "must be dissatisfied with preexisting forms of identity and interaction" and that they communicate with one another on a fairly regular basis.[15]

Also, constructivists stress the importance of "collective intentionality" in social interactions and the necessity of approaching historical analyses of even political systems from a more nuanced perspective. They Recognise the desire's agency "...to tap into and help interpret the meanings and significance that actors ascribe to the collective situation in which they find themselves" and are in favour of a project that aims to "unbundle territoriality." It unequivocally opposes positivism as a principle that should be upheld in both theory and practice. Ruggie distinguishes between many constructivist streams as well. These include the Neo-Classical constructivism he identifies with, the Post-Modern constructivism that places a greater emphasis on identifying hegemonic "regimes of truth," and, lastly, the Naturalistic constructivism connected to Hannah Arendt's writings. Constructivists, such as Ruggie, believe that "no approach can sustain claims to monopoly on truth," and therefore are modest in their own claims to knowledge.

SOURCES OF THREATS TO MARITIME SECURITY

1.   PIRACY AND ARMED ROBBERY

Many states have utilised the sea as a major commerce and navigation route for a very long time. The amount of navigation at sea has not decreased as a result of technological advancements that have made land transportation faster and more sophisticated. This is because using sea transportation is less expensive than using air transportation, and sea transportation has the capacity to carry larger loads. This explains why maritime sailing still handles the majority of commerce transactions. Piracy attacks against these ships are also attracted by the trade transactions that sea navigation

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[13] Nicholas Onuf, 'Constructivism: A User's Manual', International Relations in a Constructed World (New York: M.E.Sharpe, 1998), pp.58-78. See esp. p.58.

[14] Alexander Wendt, 'Anarchy is What States Make of It: The Social Construction of World Politics'.

[15] John Gerard Ruggie, 'What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge'.

carries out. Because piracy is viewed as a shared adversary of all mankind, it is an offence for which there is universal jurisdiction can be enforced.

In order for a For a crime to fall within universal jurisdiction, it needs to be considered piracy committed on the high seas or outside of any nation's territorial authority. The definition of piracy used in the 1982 United Nations Convention on the Law of the Sea (1982 UNCLOS) is consistent with this concept. It is important to separate the term used in this study from the concept of piracy used in some national legislation, which may be more expansive than the UNCLOS definition from 1982. For instance, under their national laws, the United States and Great Britain classify the slave trafficking as a form of maritime piracy. The United States in The Act of May 15, 1820, that any citizen who engages in the slave trade or is on a ship that is either fully or partially owned by a US citizen is guilty of pirate offences. The following is how piracy under the law of nations (jure gentium) differs from piracy under certain municipal laws: "piracy under the law of nations, by whomsoever and whereversoever committed, may be tried and punished in the courts of justice of any nation."

However, piracy established under municipal law is only subject to trial by the state whose territory the act was committed within and on whose boats. Certain actions that a nation's national law considers to be piracy are not contained in the 1982 UNCLOS the definition of piracy. These behaviours are governed by the national law of the state in question rather than by universal jurisdiction. The definition of piracy under the 1982 UNCLOS does not cover acts of piracy that are committed within a nation's territorial sea. This act is frequently sometimes known as maritime robbery, armed robbery at sea, or modern piracy in international law literature and discussions of maritime piracy issues. The term "armed robbery at sea" is the sole one used in this investigation. Any unlawful act of aggression, incarceration, or depredation against ships, which are still under national authority. The jurisdiction of the nation where the action takes place governs how it is handled in full. Armed robbery and piracy have grown to constitute hazards and roadblocks for international commerce.[16]

Unclos's 1982 Regulation Of Piracy

A number of states have ratified the 1982 United Nations Convention on the Law of the Sea (UNCLOS). 168 nations have ratified it as of right now. As a result, 1982 UNCLOS has an impact on how marine areas are regulated in different parts of the world. Moreover, 1982 UNCLOS includes standards that apply globally, making its guidelines regarded as international customary law. UNCLOS 1982 contains regulations pertaining to piracy in chapters 100 through 107.[17] According to article 101's definition of piracy, As can be observed, piracy consists of three components:

a. The act is carried out for personal gain. Therefore, such an action cannot be carried out with a government's consent or authorisation;

b. It is directed against another ship. This implies that this activity requires the participation of at least two ships;

c. For an action to be considered piracy, it must be carried out on the high seas or on another territory that is outside of any state's jurisdiction. This means that the action cannot be carried out with a government's consent or authorisation, and piracy carried out for political reasons is excluded from the category of piracy. Drawing as of the second attribute mentioned earlier It is evident that the participation of two or more ships is also necessary in piracy. As a result, the rebellion is not considered to be piracy. Only the ship's flag state has the authority to hold mutineer-controlled vessels.

The handling of the situation will be affected by the need to differentiate armed robbery at sea from piracy, which is why the third mentioned feature must be emphasised. According to UNCLOS regulations from 1982, piracy can fall

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[16] William A. Schabas, "International crime" in David Armstrong, ed, 2008, Routledge Handbook of International Law, Taylor & Francis e-Library, United Kingdom, p.259.

[17] Joyce Dela Pena, 2009, "Maritime Crime In The Strait of Malacca: Balancing Regional and Extra- Regional Concerns".

under universal jurisdiction. Regardless of the location of the crime, the nationality of the perpetrator, the victim's citizenship, or the state in which the crime is committed, universal jurisdiction is a jurisdiction that is applied to a crime based on its nature. As a result, every Regardless of the country of the offender or the victim of the crime, the state has the authority to combat piracy as long as it takes place on the high seas or at a location outside of its borders. Article 100 of the 1982 UNCLOS, which mandates that all states fully cooperate to combat piracy on the high seas or in territory outside of other states' jurisdiction, reflects this. As to Article 300, the duty to collaborate must be executed with sincerity.[18]

The limitation of a pirate ship or aircraft is governed by Article 103, which also covers any aeroplane or ship that the person in charge of it uses to carry out the actions listed in Article 101 regarding what constitutes piracy. Additionally, while under the control of pirates, ships or aircraft doing the acts mentioned in Article 101 are considered to be pirate ships or aircraft, according to Article 103. As a result of losing or keeping a ship's or aircraft's nationality due to piracy, each State shall establish through its national legislation the potential to keep one's nationality in line with where a ship or aircraft is registered against such ships or aircrafts.

However, it is evident from the terms of Articles 100 and 101 that the pirates' ships and planes are no longer solely under the control of the flag state in which they have acquired their nationality and been registered, yet they are also governed by universal jurisdiction. Thus, unless expressly specified by the national legislation of the relevant nation, pirate ships and planes are regarded as having no nationality. Warships or official ships that engage in piracy are subject to Article 102 regulations. This article states that when a navy or government ship's crew commits mutiny and engages in the activities listed in Article 101, the ship is deemed to be engaging in piracy. Notably, the crew alone should be held accountable for the mutiny and should be held accountable for their actions. The immunity granted to a warship or government ship under Articles 95 and 96 is instantly forfeited when it accomplishes this, and each country has the same ability to hold it as it has other pirate ships.

According to Article 107, only government-approved vessels or warships are permitted to detain and hold prisoners on board. Every state may hold pirate ships and the people and goods they carry, according to Article 105. The state's national law, which established the detention can be used to penalise the perpetrator of such a crime. Only on pirate ships that are at sea or beyond of other states' authority may the detention mentioned in Article 105 take place. Without the coastal state's approval, pirate ships cannot be held in territorial seas, archipelagic waterways, or internal waters, regardless of the severity of the piracy had happened on the high seas before. When it comes to combating piracy and armed robbery at sea, for instance, the Somalian government asks for international assistance to deal with these issues.

While armed robbery at sea is covered by one article of the 1982 UNCLOS, piracy is not, despite the fact that these two acts are distinct and have different legal consequences. The IMO's Maritime Safety Committee (MSC), which was established in April 1984, concluded that armed robbery at sea and piracy were distinct issues. International regulations that bind governments in a particular region or papers from international marine organisations like the International Maritime Organisation (IMO) contain the regulation pertaining to armed robberies at sea. Additionally, the following subsection discusses this topic in more detail.

Regional Law Concerning Armed Theft At Sea

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[18] Mihaela AgheniŃei dan Luciana Boboc, 2011, "Universal Jurisdiction And Concurrent Criminal Jurisdiction", hlm.1, [online] www.usyd.edu.au (accessed on 4 th of July 2012), also see: Ma´ximo Langer, 2011, "The Diplomacy Of Universal Jurisdiction: The Political Branches And The Transnational Prosecution Of International Crimes", The American Journal Of International Law, 151 (1), p.1.

1) Combating Armed Robberies Against Ships in Asia through Regional Cooperation

Agreement (ReCAAP) Most states worldwide have endorsed ReCAAP, an alliance aimed at ending armed robberies at sea. On November 11, 2004, ReCAAP was authorised in Tokyo, Japan, and on September 4, 2006, it went into force. 16 states participated in the accord, including Bangladesh, India, China, South Korea, Japan, and 10 ASEAN states and Sri Lanka, Malaysia, and Indonesia, however, declined to sign the deal. Furthermore, China decides to sign and ratify it after changing its mind. Malaysia has signed and approved it as well. Indonesia, meanwhile, has not yet stated whether it would accept or reject the ReCAAP proposal. ReCAAP's content is primarily a cooperative method designed to counteract armed robberies and acts of piracy in Asia. "Any illegal acts of violence or detention, or any act of depredation, committed for private ends and directs against a ship, or against persons or property on board such ship, in a place within a Contracting State, is how Article 2 of the ReCAAP defines armed robbery at sea."

As per this article, the action must therefore take place inside the coastal state's jurisdiction to be covered by the definition of maritime armed robbery; nevertheless, the ReCAAP does not specify the exact boundaries of the region that remains under the jurisdiction of a coastal state. The three primary pillars of ReCAAP are cooperative rules, capacity building, and information sharing. The Information Sharing Centre (ISC) facilitates the exchange of information. The Secretariat and the Governing Council make up the ISC. Each party's delegate sits on the Governing Council, which also appoints the executive director who leads the Secretariat.[19]

According to Article 14, with the intention of enhancing the contracting state's ability to deal with piracy and each signatory state is required to offer substantial support to other states who ask for it in cases of armed robbery at sea. Offering technical support, such as education and training programs, is one way to increase capacity. With respect to Article 15's cooperative regulations, these may be implemented through cooperative training programs or other means that the contracting states have authorised. Apart from the three pillars of ReCAAP, Article 12 governs the extradition of individuals who commit acts of piracy and armed robbery at sea to other contracting governments that have jurisdiction over them. As the aforementioned explanation makes clear, ReCAAP encourages multiregional cooperation in the fight against armed robbery and piracy at sea.[20]

The existence of the ISC, which is made up of delegates from all states that are contracting. The cooperation extended beyond technical support and included joint drills that may be conducted by the contracting parties as well as coordinated patrols like those conducted by Malaysia, Singapore, and Indonesia. There are also notable distinctions between the contracting states' classifications of armed theft and piracy at sea, which have not been mutually agreed upon.

2) The Policy for Addressing Armed Robberies and Piracy Off Somalia's Territorial Sea and Waters

Armed robbery and piracy at sea outside of Somalia's territorial sea and waterways began during the state's internal problems following the coup in 1990. The crisis led to a rise in poverty and a number of other socioeconomic issues. In 2008, there was a surge in maritime piracy and armed robberies in this area, garnering global attention. As evidenced by the nine United Nations Security Council (UNSC) resolutions that were passed regarding the management of piracy and armed robbery at sea off the coast of Somali waters and within Somali waters between 2008 and 2012—UNSC Resolution 1816 (2008), UNSC Resolution 1838 (2008), UNSC Resolution 1846 (2008), UNSC Resolution 1851 (2008), UNSC Resolution 1897 (2009), UNSC Resolution 1918 (2010), UNSC Resolution 1950 (2010), UNSC Resolution 2015 (2011), and UNSC 2020 Resolution (2011)—it is evident how much attention was given to this issue on a global scale.

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[19] Bateman Sam,et al, 2009, "Good Order At Sea In Southeast Asia".
[20] Kenneth Menkhaus, 2003, "Somalia: A Situation Analysis And Trend Assessment".

The management of piracy and armed robbery is addressed in these nine resolutions in a number of significant ways outside of Somali waters and the territorial sea, specifically:

i. Recognition of the Transitional Federal Government (TFG) as the legitimate government of Somalia

It is evident from all of the aforementioned resolutions that TFG provides the foundation for the permission that governments and international organisations addressing piracy and armed robbery at sea outside of territorial sea and Somali waters are granted under this agreement. The UN Security Council Resolution 1816 (2008), for instance, states:

"Taking further note of the letter from the Permanent Representative of the Somali Republic to the United Nations to the President of the Security Council dated February 2008, conveying the consent of The Somali Republic to the United Nations." The same item is displayed in other resolutions. For example, Article 10 UNSC Resolution 1846 (2008) states that: "Decides that for a period of 12 months from the date of this resolution States and regional organisations cooperating with the TFG in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the TFG to the Secretary General." These highlighted terms demonstrate that only with the permission granted by TFG, the handling of According to the resolution, armed robberies and piracy at sea outside of Somali waters and territorial sea are permitted for a specific amount of time.

ii. The authority used to combat armed robbery and piracy at sea off the coast and in Somalia's territorial waters is limited in terms of both time and location.

It is evident from all of the aforementioned resolutions that the actions based on them to combat piracy and armed robbery at sea that occur outside of Somalia's territorial sea and waterways are only applicable outside of those areas. It is evident from the comments made in these resolutions that the authority granted by them was limited to the crisis scenario. in Somalia and failed to establish itself as worldwide custom. One such example is found in UN Security Council Resolution 1851 (2008), specifically in Article 10, where it is stated that the resolution "underscores in particular that this resolution shall not be considered as establishing customary international law" and "affirms that the authorisation provided in this resolution apply only with respect to the situation in Somalia." Other resolutions continue to assert the same thing.

iii. The meaning of armed robbery at sea is not clarified.

The word "armed robbery at sea" is always used in conjunction with "piracy" throughout the nine UNSC resolutions listed above; yet, not a single resolution defines "armed robbery at sea." As previously indicated in the preceding subsection, the 1982 UNCLOS only contains provisions pertaining to piracy and does not address armed robbery at sea. Nevertheless, these resolutions make reference to the UNCLOS as the legal framework for fighting piracy and armed robbery at sea. The United Nations Convention on the Law of the Sea (UNCLOS), which was established on December 10, 1982, for example, reflects international law and provides the legal framework for combating piracy, armed robbery, and other ocean-related activities. This is further reaffirmed in UNSC Resolution 1950 (2010).

2.   ILLEGAL MOVEMENTS OF WILDLIFE

A comprehensive strategy involving several different sectors is needed to stop, identify, intercept, and prosecute trafficking in wildlife by water. These strategies include raising public awareness, developing creative detection methods, collaborating with the private sector, automating and effectively risk profiling, and conducting thorough investigations and prosecutions. In order In order to prevent wildlife traffickers from entering legitimate trade routes, law enforcement authorities and other players involved in the sea transport sector must work together mandated to combat the illegal wildlife trade—must collaborate in order for these goals to be met.[21]

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[21] R. Sollund, J. Maher, The illegal wildlife trade. Report: A Case Study report on the Illegal Wildlife Trade in the United Kingdom, Norway, Colombia and Brazil, 2015.

The UNDP-GEF-USAID initiative Reducing Maritime Trafficking of Wildlife between Africa and Asia is funded by GEF and is overseen by the World Bank as part of the Global Wildlife Program (GWP) works to improve ports' enforcement of wildlife laws and to boost collaboration between different ports and marine parties to guarantee the security of the supply chain. It targeted important East African ports, primarily Mombasa in Kenya, Kampala dry port in Uganda, Dar es Salaam and Zanzibar in Tanzania which are frequently utilised by those who traffic in animals to ship illicit products to Asia. In addition to concentrating specifically on Africa, coordination between member GWP countries operating at ports was accomplished with ports in Asia. From the source (in Africa) to the final point (in Asia), there are multiple steps in the trafficking chain for wildlife items like rhino horn and ivory, each involving a different actor. At the target ports, the project's main goal was to close the following gaps:

- Low wildlife crime intelligence capabilities
- Inadequate understanding and knowledge of the rules, signs, and risk indicators of CITES.
- Absence of sea container risk profile automatically.
- Inadequate procedures and tools for inspecting containers.
- Inadequate cooperation between Asian and African ports in terms of law enforcement.
- Low conviction rate after wildlife seizures as a result of inadequate law enforcement investigation capabilities and a lack of diligence on the part of export agents.
- Law enforcement and the private sector's lack of cooperation at ports.

The Obstacle: Trafficking In Wildlife Via East African Seaports

The illicit wildlife trade, or IWT, is one of the five most profitable illicit markets in the world, with an estimated yearly value of up to US $23 billion. Because there is less chance of being caught and arrested, the majority of illegal wildlife commodities are traded by water. Shipping firms may unintentionally be involved in trafficking since they frequently employ reputable transportation, logistics support and commercial trade avenues for the illegal export of African forest resources and wildlife. Because of their size and advantageous location, Kenya's Mombasa port; Tanzania's Dar es Salaam and Zanzibar port; and Uganda's Kampala dry port are among the most vulnerable in East Africa. Traffickers frequently use one of East Africa's major transportation hubs, Kampala as a point of passage to ports in Africa, both East and West. As the volume of containerised trade rises, increased port traffic and high-value investments in recent years may result in more occurrences of wildlife trafficking. Finding the crucial gaps that allow traffickers to smuggle illegal animals was the main issue at the target ports, as was creating and putting into place intricate measures in the project plan to fill in these voids.[22]

Collaboration Between Agencies And Sectors is The Solution

Government, industry, and civil society in the area collaborated to provide value and results that would be challenging or impossible to achieve separately. synergies and a feeling of belonging and community were produced through collaboration between agencies and sectors. A group of diverse port stakeholders representing government agencies, international organisations, and the private sector convened for three separate three-day workshops at the ports of Dar es Salaam (2–4 July 2019), Mombasa (23–25 October 2019), and Kampala dry port (15–17 March 2022). The purpose of the workshops was to create a shared strategy for combating wildlife trafficking.

Prior to setting up the three workshops, TRAFFIC, which keeps an eye on the commerce in wildlife species worldwide, quickly evaluated the three sites to confirm the amount of illicit commerce in animals going via every port. The parties involved came to an agreement during the workshops to work together to address specific measures against the trafficking of wildlife through the ports in the region. They also agreed to build trust by exchanging ideas, pooling resources, utilising expertise, and developing a better comprehension of the objectives, demands, and specifications of various stakeholders. They discussed and identified areas for intervention, including enhancing risk profiles and cargo inspection, engaging the commercial sector, developing investigative capabilities, and exchanging information. The

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[22] J.H. Byrd, J.K. Tomberlin (Eds.), Forensic Entomology: The utility of arthropods in legal investigations, thirdrd edition, CRC Press, Taylor & Francis Group, Boca Raton, FL (2020), pp. 475-484

project annual plans were updated with the solutions developed at the workshops, and they were put into action.

The Problem: Checking Busy Ports In East Africa For Smuggling

East African nations possess has great political backing in order to attain zero poaching, improved legislation, and harsher punishments for the trafficking of wildlife in the battle against poaching and wildlife trafficking in recent years. But as sources and hubs for the trafficking of wildlife, particularly Mombasa in Kenya and Dar es Salaam and Zanzibar in Tanzania, their seaports continue to be highly vulnerable. Because of the enormous amount of goods that pass through these ports on their way abroad—which connects businesses in East Africa with container screening for the remainder of the world is very difficult and can readily lead to the detection of suspicious cargo containers. This is made worse by intricate screening procedures, cunning deception techniques, corruption, ignorance about endangered species, a lack of funding, and inadequate agency collaboration.

The Solution: Cross-Border Collaboration Across Intelligence-Driven Multi-Agency Teams

Several nations in the area have started to strategically see these seaport container backlogs as chances to intercept and aim illegal goods as it passes via their ports. At the port level, specialised Port Control Units (PCUs), multi-agency units, have been established to guarantee that Shipments of cargo are not used for any illicit purposes and that lawful trade proceeds without hiccups, hence increasing state income. These specialised risk profiling teams, which are made up of law enforcement, customs, and wildlife officials, keep an eye on and detect high-risk shipments, examine cargo, and seize illegal goods, such as wildlife. They exchange intelligence across borders and industries to combat the various causes of trafficking in wildlife. PCUs were created by the WCO and UNODC. They came first founded is a component of the UNODC-WCO Container Control Programme (CCP) at designated ports in 2006. PCUs can exchange private information with international counterparts informing them of potentially dangerous containers, thanks to the Container Comm, a secure electronic network that connects all 111 PCUs in 71 countries worldwide. Additionally, PCUs have access to a system for searching and tracking containers that offers comprehensive data regarding the kind of cargo, shipping routes, ways to pay for goods, and all the data needed to identify and profile containers that pose a concern. Members of the PCU team collaborate to exchange information gleaned during seizures, which offers crucial perceptions of the identification and most recent covert techniques used by wildlife traffickers, in addition to source, destination, and transit areas.

3. MARITIME CYBERSECURITY

Carrying 90% of global trade, the maritime sector is one of the oldest and most vital to the world economy. It may seem strange to target ships and other vessels with cyberattacks. However, hackers now have a fresh, open playground to target because to their increasing usage of satellite communications and industrial control systems (ICS). Few respondents to a 2020 Safety at Sea and BIMCO Maritime Cyber Security poll seem to be ready for the fallout from an assault, even though the majority (77%) saw cyberattacks as posing a high or medium risk to their organisations. Just 24% of respondents stated that their organisation has tested its business continuity strategy, despite 64% of respondents saying it is in place and should be followed in the event of a cyber disaster measurements, and just 15% indicated that it was examined every six to twelve months. Merely 42% of participants indicated that its establishment safeguards vessels against cyber risks related to operational technology (OT). A few respondents even gone so far as to describe their business's approach to managing OT cyber risk as "careless."

Furthermore, as per the International Maritime Organisation (IMO), maritime cyber risk quantifies the degree to which a technological asset might be jeopardised by an eventuality or incident that could lead to operational, safety, or security setbacks related to shipping due to corrupted, lost, or compromised information or systems. Many of the internationally interconnected networks and maritime infrastructures continue to rely on antiquated technology that was not intended for interconnection online. These intricate networks are utilised by internal staff and outside vendors, combining operational technology (OT) and information technology (IT) systems (which we'll discuss in the next section). This increases the risk of a hack by insider threats or hackers.

In the past, when a ship's connectivity was limited, air gapping was used by ship control engineers to physically separate safe networks from unsecured networks in order to address security concerns. An air-gapped system is one

that is, by definition, isolated from the Internet and other systems. However, a malevolent hacker or even a less skilled insider might now enter and infect vital systems with something as basic as a USB flash drive or an unprotected Wi-Fi network. Considering the interconnection of this development, it is very worrying of contemporary marine vessels.[23]

How Is Cybersecurity Different in IT and OT?

Hardware and software used for direct monitoring and management of industrial assets, machinery, events, and processes make up operational technology (OT). On the other hand, information technology encompasses all related technologies as well as software, hardware, and communications technologies for information processing. Prior to delving into the cybersecurity issues confronting the maritime sector, let us pause to consider some key distinctions between IT and OT systems. OT and IT are not the same from a cybersecurity standpoint in a number of ways. The IT side of staffing has a cybersecurity specialisation. Professionals whether it be in network security, application security, or other security fields have received specialised training and certification. individuals in charge of security in OT are typically individuals in operational technology. They deal with security as part of their day job; it is an accessory, not a speciality. OT and IT differ, particularly in how attacks turn out.

Conventional cybersecurity solutions fall short in delivering the security and visibility required for cyber-physical operations that underpin the marine sector, leaving the OT network vulnerable to cyberattacks. Organisations must also strike a balance between using specialised security solutions made for OT requirements and typical tools for network and endpoint security in IT as a result of the convergence of IT and OT.

What Cybersecurity Issues Are Impacting the Maritime Sector?

Many of the typical cybersecurity issues facing the maritime sector are similar to those facing other IT-related industries:

- Lack of thorough knowledge of every system and gadget on the OT network throughout a fleet or activity
- Absence of access to the OT networks of each vessel
- Absence of segmentation or real-time monitoring within the OT network
- Unintentionally linked OT and IT networks
- Utilising unprotected wireless networks
- Third-party OEMs are permitted 24x7 remote access
- Absence of visibility into OEM networks owned by third parties (black box) inadequate physical security measures
- Insufficient knowledge about cybersecurity among the team, staff, and outside vendors
- Potential Attacks on Maritime Cybersecurity
- Preventing hackers from accessing systems and data is only one aspect of cybersecurity.

It also involves guaranteeing business continuity, protecting data and digital assets, as well as ensuring that the marine industry is impervious to threats from the inside and the outside. Protecting systems of ships from actual assaults and maintaining the reliability of the auxiliary systems are vital. Because of their complexity, tankers and vessels are vulnerable to powerful assaults. Cyberattacks might persist for days, weeks, or hours. When a ship gets infected, the malware can frequently propagate through the corporate network to other ships. The following are a few such assaults that could render a vessel incapable of operating:

An assault against a satellite provider that manages to get into the IT/OT network of a ship exploitable cyber weaknesses that permit the OT network of a vessel to be accessed and offer a variety of attack vectors, such as:

- Attacks on GPS and navigation systems
- Close or open important valves

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[23] Lee, J. M., and Wong, E. Y. (2021). "Suez Canal blockage: an analysis of legal impact, risks and liabilities to the global supply chain".

- Drive and rudder management
- Ballast management
- Malware/Ransomware
- Acquire complete administrative rights
- Attacks on maritime cybersecurity recently

Cybersecurity in the maritime industry attacks are not new, but many of these occurrences go unreported. There is ongoing resistance to disclosing important facts, the police force organisations, and other colleagues to exchange threat intelligence in order to create cybersecurity best practices and stop such attacks in the future. Furthermore, by the end of 2020, there will be a record number of reported events due to the 900% increase in marine cyberattack rates since 2017. Regardless of size or location, all organisations can be vulnerable to cyberattacks, as demonstrated by a sample of attacks that the marine sector experienced in 2020 alone:

Non-Petya Maritime Security Incidents

NotPetya is one of the biggest and most destructive cyberattacks ever, with over damages totalled $10 billion in June 2017. NotPetya was primarily directed at Ukrainian businesses, but it spread well beyond that country to affect other significant institutions, such as the pharmaceutical corporation Merck, delivery FedEx and Maersk (A.P. Møller-Maersk), a Danish shipping behemoth that handles one in every seven containers sent worldwide, are two examples of this. Maersk suffered a $300 million setback and lost the majority of its data. Every end-user device was destroyed, over 49,000 laptops with printing capabilities. Approximately 1,000 of their 1,200 applications were damaged, and all of them were unreachable. Although backups of the data were kept, the programs themselves could not be reinstalled since they would become infected again. They lost 3,500 of their 6,200 servers, making it impossible to restore them. Because of the network failure, every fixed-line phone was unusable, and since mobile phones were when Outlook was synced, all contacts were deleted, making any coordinated response impossible extremely difficult.

Events Relating to Maritime Security: COVID-19 Pandemic

Lately, with the beginning of Following the COVID-19 outbreak, 400% more has been added to shipping cyberattacks since February. The marine industry is feeling the effects of travel limitations, social alienation, and the economic downturn on its capacity to defend itself. In order to service standalone systems, OEMs, technicians, and suppliers must link them to the Internet. In order to perform diagnostics and upload software updates, OT systems are temporarily connected to onshore networks by ship and offshore workers of time. This causes endpoints, important systems, and components to become less segregated and more vulnerable to attack. Additionally, vessels that are understaffed may be more susceptible to fraud, mishaps, and human error due to the stress levels of their crews.

Which Maritime Cybersecurity Compliance Measures Should You Take Into Account?

Among the marine cybersecurity safety precautions you must be taken into account, such as TMSA, ISO/IEC 27001, ISA/IEC 62443, and IMO Resolution MSC. 428(98). Depending on your country of operation and the type of vessel you operate, there are additional industry and regulatory criteria that you must follow. The security, safety, and dependability of these systems are critical since Internet dependence and connectedness are already commonplace and numerous technologies are necessary for the administration and operation of vessels. In light of this, the marine sector is realising that cybersecurity oversight is necessary to guarantee the efficient management and reduction of emerging cyberthreats. Let's examine each among the actions taken to comply in more detail.

MSC.428(98), an IMO Resolution

The International Maritime Organization's (IMO) Resolution MSC.428(98) highlights a critical The deadline for cybersecurity compliance in the maritime industry sector: no later than the company's Document of Compliance's first yearly verification following January 1, 2021, administrations are encouraged to make sure that the safety management systems in place now adequately address cyber threats (as described in the ISM Code). They provide an industry-specific, standardised method for implementing and assessing security controls in an OT context.

Included are functional elements that support effective cyber risk management in these guidelines along with recommendations:

Establish roles and duties for personnel in cyber risk mitigation and system inventory, resources, information, and capacities that, in the event of a disruption, provide threats to ship activities.

Protect: To guard against a cyber-event and guarantee the continuation of shipping operations, implement risk control procedures, controls, and backup plans.

Detect: Create and carry out the actions required to promptly identify a cyber-event.

React: Create and carry out plans and initiatives to strengthen systems, restore resilience, and enable shipping operations or services that have been compromised by a cyberattack.

Recover: Determine how to backup and restore the cyber systems required for shipping operations that have been affected by a cyber incident.

ISA/IEC 62443

The IEC Technical Committee 65 Working Group 10 and the ISA99 committee collaborated to create the ISA/IEC 62443 set of standards, which are specifically tailored to deal with the requirement to integrate cybersecurity resilience and robustness into control systems for industrial automation. The definition of an IACS as a group of people, tools, software, and regulations that are used to run an industrial process and have the potential to impact or change how safe, secure, and dependable it is.

4.   ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING

Due to its powerful ability to thwart regional and national Illegal, unreported, and unregulated (IUU) fishing remains one of the main dangers to marine ecosystems despite attempts to control and maintain fish supplies. This impedes the process of reaching the objectives of long-term sustainability and accountability. Illegal fishing (IUU) preys on weak management regimes and corruption, especially in nations with insufficient resources and capacity for efficient monitoring, control, and surveillance (MCS).[24] The generally held belief that an IUU vessel is probably an unsafe or substandard vessel is the basis for the IMO's ability to support the battle against IUU fishing. Involved in IUU fishing are also concerns about marine waste and debris, which have an impact on both the maritime ecology and ship safety. Furthermore, IUU fishermen utilise certain types of fishing gear and techniques in areas where it is illegal for them to do so, endangering the fisheries in those areas as well as the marine environment (by destroying coral reefs and other habitats). Additionally, these gears frequently become entangled in bottom structures and are abandoned. Via organisations like the UN and its specialised agencies, the FAO, the IMO, and ILO has developed a number of international instruments that address flag, coastal, port, and market State responsibilities. These instruments collectively provide a potent toolkit to combat IUU fishing.

The collaborative work on IUU fishing and related matters (JWG), in particular, has been carried out within the mandates of each organisation. The Sub-Committee on the Implementation of IMO Instruments, which reports to the Maritime Safety Committee and the Marine Environment Protection Committee, is in charge of issues pertaining to IUU fishing.[25] In order to combat IUU fishing, significant efforts are being made at the international, regional, and national levels through the application of international instruments. Technological advancements in fisheries monitoring, control, and surveillance combined with advancements in information-sharing systems are helping States fulfil their obligations regarding ports, markets, flags, and coastlines.

IUU Fishing's Effects In The Indian Ocean

The Indian Ocean currently faces a number of risks to marine security, such as armed robberies, drug and people smuggling, piracy, and various environmental problems. The practice of IUU fishing is just one more severe, but lesser-known, catastrophe that the region is currently dealing with. As previously mentioned, a survey carried out in 2019 by

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[24] Belhabib D., Le Billon P. (2020). "Editorial: Illegal Fishing as a Trans-National Crime".

[25] Organization for Economic Cooperation and Development, (2020). "Fighting illegal, unreported and unregulated fishing".

Secure Fisheries in association with the United Nations Office on Drugs and Crime revealed that nearly eighty percent of participants concurred that the greatest threat to maritime security in the Indian Ocean is illegal fishing (UNODC, 2019). In fact, the IUU Fishing Index rankings, which state that the East and West Indian Oceans, also attest to the seriousness of the danger, are, after the Western Pacific region, the second-most vulnerable places in the world (IUU Fishing Index, 2019). Because of this, it is important to carefully evaluate and not undervalue the effects of this activity in the Indian Ocean region.

a.   Impacts on Food Security and the Economy

The fishing business is a vital the region's economic sector, which is the primary cause of illicit fishing's viewed as such a grave danger. Indeed, poor nations that heavily depend on fishing for ensure the welfare among their assemblages make up the bulk of the coastal governments in the Indian Ocean. The fishing industry in particular is significant because it produces jobs, reduces poverty, and makes money. For example, about 6 million people work in fishing in Indonesia. Additionally, FAO determined that Three or four more people work in associated industries like boat building and seafood processing for every person who is directly employed in this industry (FAO, 2016). The economies of the coastal states around the Indian Ocean suffer from IUU fishing because it is an unregulated industry that costs them potential money. This in turn impairs the governments' capacity to serve the people, potentially leading to social unrest. Moreover, the practice fuels unemployment, which is another cause of social unrest, raises costs, jeopardises the jobs of all workers who operate legally, and adds to the loss of fish stocks (Poling and Cronin, 2017). Consequently, it makes sense to state that IUU fishing has an effect on national economies and the labour force might also endanger public confidence in and responsibility to the government. The fact that unemployment frequently pushes people to look for work in illicit and covert markets is another issue with it.

Concerning food security, the fishing industry is the primary source of animal protein for inhabitants in the Indian Ocean region number in the hundreds of millions. In Bangladesh, Cambodia, Indonesia, Sri Lanka, and a few other small islands, fish accounts for more than half of each person's daily intake of animal protein. Furthermore, there has been a sharp rise in the demand for fish in recent years. For example, fish consumption in Southeast Asia increased at an average yearly rate of 4.6% between 1961 and 2013, which is more than double the rate of population growth (World Fish, 2017). Illegal fishing puts hundreds of millions of people's health at danger and, more generally, raises the prevalence of poverty by significantly reducing the number of fish available on the market.[26]

b.   Impacts on National Security: International Organised Crime, Including Piracy

The relationship between IUU fishing and many transnational organised crimes, such as drug and gun smuggling, human trafficking, sea piracy, and human exploitation, is by now well known. Indeed, the illegal trafficking of narcotics, weapons, wildlife, and persons frequently uses IUU fishing vessels as a means of transportation. Numerous studies have demonstrated that labour exploitation and abuse—often referred to as "modern slavery"—are widespread onboard IUU fishing vessels. (Shaver and Yozell, 2018). Inhumane working conditions, extended lengths of time spent stranded at sea, threats, physical and psychological abuse, filthy working conditions, and long workdays are all common   experiences   for   victims.

Residents of vulnerable places in the Indian Ocean region are frequently targeted for recruitment by criminal or terrorist organisations, such as marine pirates. Specifically, the long-standing issue of piracy in the area is currently exerting strain on the fishing industry (Belhabib, Le Billon, 2020).

Actually, as previously mentioned, IUU fishing practices increase unemployment and poverty rates which in turn drives many people to turn to illegal acts like maritime piracy when they are in dire need of a source of revenue. In fact, piracy is typically very profitable, which makes it possible to draw jobless labourers from the fishing industry. Fish piracy is problematic in two ways. Firstly, it lowers the number of products available, which upsets the fishing market. Secondly, since illicit catches are frequently shipped abroad, it affects the fishing industry. However, by hiring

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[26] The Global Initiative Against Transnational Organized Crimes (2019). "The Illegal, Unreported and Unregulated Fishing Index".

trained labourers, pirates can increase their productivity and profit, which in turn strengthens and enriches a terrorist organisation operating on the high seas.

c. Impacts on Environmental Security

Illegal fishing operations intensify the detrimental consequences of global warming, putting the resilience of the maritime ecosystem and marine biodiversity. Actually, by breaking the law, fishing boats deliberately search for maritime reserves and protected regions with higher fish populations rather than using their Automatic Identification System (AIS). This adds to the significant harm done to fish populations and maritime environments. Furthermore, the majority of the time, these kinds of activities lead to the unintentional capture of sharks, turtles, and dolphins—species that are protected and endangered (Withrow, 2021).

Additionally, unauthorised boats are more prone to misplace or discard fishing equipment—a method that is "ghost gear"—which is currently the primary source of contamination in seawater. Even though this is a standard procedure in the legal boats, IUU fishing vessels are more likely to have their fishing gear stolen or abandoned.[27]

They do run a higher danger of losing their gear when they fish in challenging situations, including at night. Furthermore, illicit vessels can be prepared to purposefully leave their equipment behind in order to avoid being apprehended by law enforcement and to erase evidence (Global Ghost Gear Initiative, 2017). Last but not least, it's critical to remember that these illicit fishing practices jeopardise any initiatives to promote a more sustainable fishing industry, like catch restrictions and marine reserves.

d. Measures used to stop IUU fishing

Numerous policies have been implemented over time, either at the national, regional, or international level in in an effort to outlaw the illegal fishing method. Nevertheless, the majority among the actions lack a means of enforcement. This study will only address a limited number of the most successful regional and international efforts.[28] The FAO's preventing, deterring, and eliminating illegal, unreported, and unregulated fishing is the goal of the most extensive and potentially significant international program to date (PSMA). Being the first legally enforceable global accord to exclusively address IUU Fishing, the PSMA, which came into effect in 2016, is significant. There are currently 69 participants of the agreement, including a number of coastal governments in the Indian Ocean region, including Somalia, Madagascar, Indonesia, Oman, Myanmar, and Seychelles.[29]

The PSMA specifically aims to end IUU fishing by prohibiting vessels involved in this activity from docking in ports to refuel, replenish, and dump and offer their catches for sale. To that end, the PSMA gives its member states the authority to restrict access to suspected unlawful ships and to require fishing vessels to obtain permission before entering port, as well as to disclose information about their catches and identities (FAO, 2009). The most significant entities in charge of controlling high seas fishing at the local level are the Regional Fisheries Management Organisations (RFMOs).

RFMOs, which are composed of countries interested in fishing in a certain area, are essential to the battle against IUU fishing because they are permitted to take action against IUU fishing vessels when needed, and they often maintain registers of such vessels. The Indian Ocean Tuna Commission (IOTC) is one of the most successful RFMOs in the Indian Ocean region for IUU fishing management. In fact, the IOTC maintains an up-to-date Record of Currently Authorised Vessels in the area and gathers data on illicit fishing vessel operations to compile a list known as the "List of IUU Vessels" (IOTC, 2021). After that, the IOTC compiles all the data required to identify the illicit vessels and ensures that it is shared with the FAO and other pertinent agencies and organisations tasked with stopping the activity.

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[27] "Illegal, Unreported, and Unregulated Fishing as a National Security Threat", *Center for Strategic and International Studies (CSIS)*. [Consultato il 28/01/2022 alle 11:40)

[28] Shaver, A., Yozell, S. (2018), "The Security Impacts of IUU Fishing", *Stimson Center*. [Consultato il 2/02/2022 alle 15:10]: https://www.stimson.org/event/the-security-impacts-of-iuu-fishing/

[29] Indian Ocean Tuna Commission, (2021). "IOTC Record of Authorized Vessels", *FAO*.

The Southern Indian Ocean Fisheries Agreement (SIOFA) is another important local fisheries agreement that pertains to the Indian Ocean.

In June 2018, SIOFA adopted a binding resolution titled Conversation and Management Measure on the Listing of IUU Vessels, which mandates that all parties to the agreement take part in the creation of an updated record of illegal fishing vessels (SIOFA, 2018). In conclusion, a new regional alliance named "Fish-i-Africa" was formed lately with the express purpose of enhancing data exchange and collaboration in the battle against illicit fishing. The United Republic of Tanzania, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, and Comoros are coastal states in Africa are currently members of the organisation. The participating nations have committed to developing a framework in order to share critical data in real time
by agreeing to participate in this program.

5. DRUG TRAFFICKING

Conventional marine routes that were historically accustomed to transport drugs like opium have long been a source of facilitation for trafficking in drugs by sea, which has evolved into a persistent danger to maritime security in Southeast Asia. But in the past few years, the growth of manufacturing facilities the Golden Crescent and Triangle have facilitated the spread of novel narcotics like crystal methamphetamine pills, or yaba as they are known locally.

In addition, since armed groups supporting and opposing the nation's military is focussing on the battle instead of dealing with more general spillover Due to problems like drug manufacture and trafficking, medication manufacturing has significantly increased expanded in Myanmar amid the current civil war that erupted following the coup in 2021. Routes for distribution have also changed. The principal channels for regional distribution for methamphetamine have historically been found along land trafficking routes, like the highways that go from Myanmar's interior south into Thailand and Malaysia.

The number of drugs traded via maritime trafficking routes was restricted. But the COVID-19 pandemic changed the face of drug trafficking significantly. Due to the pandemic's restrictions on land and air travel, ancient, established trafficking routes like the Western marine Route were resurrected, and networks of syndicates began to primarily depend on the maritime trade as a means of operation. Methamphetamine is currently mostly transported via the Western Maritime Route from Myanmar's southern and western coasts through additional markets in the area via the Strait of Malacca and the Andaman Sea.

Additionally, this waterway connects to tributaries like eastward transfers across the Natuna Sea and travels westward into Bangladesh across the Naaf River. In order to enter the Southeast Asian market, The Western Maritime route is also becoming more and more dependent on methamphetamine coming from additional sources, such as the Middle East's Golden Crescent
because of the growing allure of maritime drug trafficking. It is believed that a variety of vessels, including Iranian dhows, remodelled pump boats, and luxury yachts, are involved in this expanding drug activity.

As international syndicate networks become more prevalent in the area, the dangers associated with drug usage expand due to the proliferation of marine drug trafficking. These pathways are likely to continue even after COVID-19 prohibitions expire since multinational syndicates are becoming more and more integrated with the maritime area of the region. The ability to adapt is a crucial tactic used by drug traffickers. Additionally, routes are probably going to

keep changing as a result of regional disparities in legalisation, constantly changing dynamics of supply and demand as well as implementation actions.[30]

What Are The Main Governance Instruments Being Used To Counter The Threat Posed By Illicit Maritime Drug Trafficking?

Enforcement agencies are seeing the necessity to increase patrol operations and levels of information sharing between themselves in order to boost coastal monitoring in important transit states such as the Philippines, Malaysia, Thailand, and Indonesia. National fusion centres, like the National Coast Watch Centre in the Philippines, are crucial in providing pertinent national enforcement agencies with information on suspicious activities at the national level. Interagency task groups, like Malaysia's Operation Benteng and frequent maritime contacts between maritime law enforcement and counter-narcotics agencies, where important information is shared, are complementary to this.[31]

Platforms the Southeast Asian Forum on Maritime Trafficking Routes (MTR-SEA) and the ASEAN Seaport Interdiction Task Force at the regional level provide chances for law enforcement organisations to improve levels of coordination with their regional counterparts. This entails building rapport with other authorities while acknowledging the capacities and limitations of other states in handling cases involving cross-jurisdictional trafficking. To deal with the problems surrounding Medicines and precursor compounds in the area, organisations like the United Nations Office on Drugs and Crime (UNODC) collaborate with regional partners and governments. For instance, the ability of member states and authorities in priority regions is addressed by the Analysis, Trends, Reporting, and Global Synthetics Monitoring Program.

In order to achieve this, it will support member states in producing, organising, evaluating, and disclosing data about synthetic drugs as well as in using scientifically grounded expertise to develop programs and policies. The UNODC recently presented a brand-new regional program focused on drug trafficking that will be implemented throughout Southeast Asia and the Pacific between 2022 and 2026. Additionally, the UNODC offers secretarial and technical assistance to cooperation agreements like the Mekong Memorandum of Understanding, which unites Mekong nations to combat the menace of illicit drug trafficking. It is envisaged that the gaps in coordination and information between the entities working along the land-sea border may be successfully overcome with the use of these diverse governance mechanisms.

What Are The Main Damages That The Threat Of Illicit Maritime Drug Trafficking Causes To Stakeholders In The Region?

The Southeast Asian region's social cohesion and marine safety are under constant threat from illicit maritime drug trafficking. rising usage of During the epidemic years, the use of drugs like cocaine and methamphetamine has increased, leading to a serious addiction problem in drug markets like Indonesia and Malaysia. The demand for these pharmaceuticals is expected to continue rising when combined with other socioeconomic disruptions like rising unemployment and falling prescription pricing. It is also anticipated that the amount of methamphetamine supplied to Southeast Asia will increase due to the use of novel production techniques such hydraulic pumps, which can yield larger daily doses of the drug. Moreover, there is a possibility that the consumer market may be increasingly saturated with a wider range of drugs due to the entry of cocaine and methamphetamine from untapped sources like the Pacific Ocean and the Golden Crescent.

Meanwhile, coastal towns' prosperity is threatened by maritime drug trafficking. fishermen who have experienced hardship are reported to be hired by syndicated networks to transport drugs over international borders as a result of a decrease in revenue.

In What Ways Has Maritime Awareness Evolved To Lessen The Threat Posed By Illicit Marine Drug Trafficking?

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[30] Ministry of Home Affairs, "Unstarred Question 459: Drug Trafficking".

[31] Ajit Kumar Dubey, "Gujarat coast drug haul: Pak villains sent shipment from Gwadar port in Balochistan".

Increasing one's knowledge of the sea required to combat trafficking in drugs by sea has not yet received the higher priority it deserves given the abundance of competing maritime security risks in Southeast Asia. The majority of current attempts to increase maritime awareness are one-sided. Such independent resources are used by national counterdrug and maritime law enforcement organisations to gather data on questionable nautical activity. However, regional agencies are now aware of similar patterns in marine drug trafficking throughout the region thanks to the growth of data collection platforms such as the MTR-SEA Drug Compendium and information fusion hubs. Enforcement of maritime law and counter-narcotics authorities are starting to identify connections in marine drug trafficking incidents in each of their many jurisdictions through increased and ongoing dialogue at the regional level. This has prompted calls for enhanced coordination in areas like common information databases, cooperative training, and more casual online interactions. Information-sharing resources are also provided by groups like the UNODC's Global Maritime Crime Programme.

What Further Background Information Is Required To Comprehend The Threats Posed By Illicit Maritime Drug Trafficking And The Challenges It Presents To Maritime Security?
While it may be carried out by global syndicate networks, one maritime offence that involves the trafficking of drugs is fuelled by domestic demand and made possible by lax enforcement. By stopping trafficking operations, counternarcotics and maritime law enforcement organisations can effectively address the symptoms of marine drug trafficking. However, there are additional maritime security sectors that can help limit the origins of maritime drug trafficking, including coastal communities, the shipping industry, and the media.

Maintaining Beyond law enforcement, marine awareness is a responsibility that must be supported by other industries as well. Encouragement is required for other marine users, such as the shipping sector to provide police and counter-narcotics organisations with information about suspicious activities seen at sea. In a similar vein, to discourage coastal populations from taking part in trafficking operations, Media outlets and coastal town leaders can promote a drug-free atmosphere. In order to effectively combat maritime drug trafficking in Southeast Asia, a more comprehensive whole-of-society approach must be used, taking into account the diverse responsibilities of many sectors within the marine industry. This comprises harm-reduction, treatment, and support initiatives that prioritise public health and consider the socio-structural factors that impact drug use in order to alleviate demand. Although there has been some progressive reorientation, there are now few such interventions in the region.