



Future unknown:

The terrorist threat to Australian maritime security

Executive summary

The threat of maritime terrorism has led to fundamental changes in the international maritime security environment. There have been major developments in the regulation of international shipping, particularly through the introduction of the International Ship and Port Facility Security code. The Australian Government moved quickly to implement the code in Australia through the *Maritime Transport Security Act 2003* (MTSA), and to introduce a range of other maritime security measures, including additional facilities for screening containers and tighter immigration controls at seaports. The new measures have imposed large additional costs on the transport system and involved significant effort from both government and industry.

Aviation and maritime security pose very different challenges. There's a relatively high level of aviation awareness in Australia, but this isn't so with maritime awareness. While airports are basically similar, every seaport is different. The security of ports and ships must consider all environments: land, air, sea surface and subsurface. Most importantly, however, their security involves a fundamental division

of responsibility between the Commonwealth, the states and territories.

A terrorist attack on Australia's maritime interests is a credible scenario. We have high dependence on shipping and seaborne trade, and are adjacent to a region where terrorist groups have maritime capabilities. Major terrorist threats include:

- a direct attack on a port facility (especially a container, oil, gas or chemical terminal)
- a direct attack on a ship, particularly a high-risk vessel, such as one carrying high-consequence dangerous goods, a passenger ferry, a cruise liner, or a US Navy vessel in an Australian port
- an attack on a ship, to hijack it and use it as a weapon against something else
- the use of a ship, its cargo or a sea container for terrorist purposes to transport terrorists or terrorist material, including a possible weapon of mass destruction.

Keeping the broad expanse of our maritime approaches secure is extremely difficult. The new Joint Offshore Protection Command and the Maritime Information System, announced

by the government in December 2004, will be a marked improvement. However, a determined and expert terrorist is still likely to have little difficulty in entering Australia by sea, and will probably only be defeated by advance intelligence of his movements.

Australia faces major challenges in reducing the risks of maritime terrorism. These are institutional (to ensure coordination between the national and state/territory agencies involved with maritime security) and operational (to meet the demands of geography and distance). We haven't met these challenges fully, and we lack consistency in the response across the states and territories.

This report identifies where gaps exist in current arrangements. It includes recommendations to improve coordination between national and state agencies and to develop the national capacity to manage maritime security in the longer term. Other problem areas include the management of high-consequence dangerous goods, the management of the supply chain, and possible risks associated with the employment of large numbers of foreign seafarers on the Australian coast.

The report draws a distinction between the *protection* of ships, ports and port facilities, which requires a range of physical and personnel security measures (basically to conform with the MTSA), and *prevention and response*, which requires effective operational measures to prevent attacks and respond to actual threats. The costs of the former are those of doing business and are legitimately borne by the owner or operator, but the costs of the latter should be met by government. We need greater transparency of risk determination and cost allocation to avoid excessive burdens being placed on industry and state governments.

Although the Federal Government has dramatically increased spending on counter-terrorism measures, so far few, if any, additional resources have been provided for the prevention and response elements of maritime security in ports or close to shore. Several recommendations are made to redress this situation, including the establishment of a Maritime and Port Security Program, the strengthening of state water police, the establishment of state port police, and a specific role for the Australian Defence Force in ship and port security.

Recommendations

Legal and jurisdictional

1. The state premiers and the Northern Territory Chief Minister should meet jointly to consider jurisdictional, legal, information-sharing and resource issues related to the coordination of capabilities to provide maritime security, including how the Joint Offshore Protection Command will interact with them in preventing and responding to maritime security threats or attacks.

Protection

2. The states should establish dedicated port police units for major ports to work with state water police, and be responsible for port security on the landside.
3. The Australian Government should introduce a \$100-million Maritime and Port Security Program over three years, on a cost-shared basis, to further modernise and strengthen maritime and port security systems and programs.
4. To strengthen container security, Australia should adopt the US 24-hour manifest rule for cargo destined for Australia and monitor developments in container seal and tracking technologies. Customs should also randomly inspect transshipped empty containers.
5. The Department of Transport and Regional Services (DOTARS) should be given a clear mandate to secure the entire supply chain and work with Customs, the Department

of Foreign Affairs and Trade (DFAT) and the Critical Infrastructure Protection Branch of the Attorney-General's Department to adopt a broader supply-chain security perspective that ensures port, ship and cargo security.

6. The Australian Government, through the Office of Transport Security (OTS), should develop publicly available guidelines for the security of high-risk ships in Australian ports, including for port visits by US Navy vessels.
7. The Australian Government should conduct an investigation of the risks involved in the employment of large numbers of foreign seafarers on the Australian coast, including on vessels carrying high-consequence dangerous cargoes.

Prevention and response

8. The states and the Northern Territory should strengthen security at major ports by upgrading their on-water capabilities.
9. The Australian Defence Force should have a direct involvement in providing security for ships, ports and port facilities against the threat of maritime terrorism. This responsibility should be assigned to the appropriate operational commander and include the establishment of Mobile Maritime Security Response Teams.
10. The Joint Offshore Protection Command should give the highest priority to the development of effective maritime domain awareness, using all sources of relevant information.
11. The government's campaign to raise public awareness about the risks of terrorism should include information to the community, especially the maritime community, on the risks of maritime terrorism.

Cooperation and capacity building

12. State governments should establish state maritime security committees to develop, coordinate and integrate processes at security-regulated and other ports. The state committees would be the key components of a national maritime security architecture that links to the national-level Maritime Industry Security Consultative Forum.
13. The Australian Government should commission a comprehensive analytical study to identify key vulnerabilities of ports, port facilities and shipping.
14. The Australian Government should take action to reverse the current trend towards a declining maritime skills base, including through a sponsored cadet scheme to encourage young men and women to pursue a career at sea, and a review of the taxation regime for Australian seafarers working overseas.
15. The Protective Security Coordination Centre, in cooperation with state police, port authorities and DOTARS, should initiate a regular round of confidential workshops for developing port security responses and maritime exercises to test port security leaders.
16. Australia's Chief Scientist should prepare a paper that addresses the scientific, technological and analytical requirements for Australian port and maritime security.
17. The work of the inter-departmental committee on regional maritime security cooperation should be given high priority and sufficient funding provided to implement its proposals.



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He is the author and editor of a number of important works, including *Naval Power in the Pacific* (Westview, 1993), and *The Pacific Patrol Boat Project—a Case Study in Defence Cooperation* (ANU, 1994). He has written over 150 papers and book chapters on a wide range of national security and ocean policy issues and authored or co-authored eight major government reports in the area of marine affairs and national security.



Dr Sam Bateman retired from full-time service in the Royal Australian Navy with the rank of Commodore (one-star) in 1993 and became the first Director of the Centre for Maritime Policy at the University of Wollongong in New South Wales where he is now a Professorial Research Fellow. His current research interests include regional maritime security, the strategic and political implications of the Law of the Sea, and maritime cooperation and confidence-building.

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