MARITIME SECURITY CHALLENGES: INITIATIVES, DEVELOPMENTS AND SAFETY MEASURES WITHIN THE INDIAN OCEAN REGION

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The main objective of this paper is to highlight maritime security challenges within the South Western Indian Ocean Region; especially by India and South Africa and to explore the maritime initiatives and developments embarked upon by the two countries respectively. The East coast of South Africa and the West coast of India share the same oceanic territory, i.e. the Indian Ocean. This research paper addresses important maritime developments in the South Western Indian Ocean region and highlights the diverse intensification of planned maritime activities in the vicinity. The developments range from safety and security cooperation among nation states, to an increase in maritime piracy, human and drug trafficking within the mentioned area. The article explores the main concerns and examines the efforts undertaken both by South Africa and India to meet the challenges posed by these developments in order to achieve short-term and long-term maritime security within the South Western Indian Ocean.

Keywords: Maritime, Developments, India, South Africa

Introduction

The world's oceans and waterways comprise over 70% of the earth surface. It provides the world with trade routes, coastal and domestic waterways which assists in supporting the global commerce industry and regulates the climate of the world. Despite the immense national and international interests and obligations arising from South Africa's geographic location within the Indian and South Atlantic oceans as a maritime country, there is a continued lack of awareness on the initiatives and developments in this sector. The Indian Ocean region, being a vast geographical entity, is composed of various regional and sub-regional entities. India has a long coastline of approximately 7517 kilometers on the western and eastern shelves of the mainland and also along the islands.

India and South Africa are closely linked by virtue of them being ex-British colonies. India was under foreign rule from the early 1800s until the termination of the British Raj in 1947. India, the world's biggest democracy and the second most compactly populated country, emerged as a foremost power in the 1990s. Until 1994 South Africa was ruled by a minority white government which came to power in 1948. It took activists most of the last two century before they succeeded in their struggle to be liberated of apartheid rule and expand democracy to the rest of the South African population. As ex-British colonies, both countries have been

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victims of similar historical patterns of exploitation, and inheritors of related political and economic structures. The bilateral associations between India and South Africa have grown strong since the end of apartheid. Both nations have since established close strategic, cultural and economic ties. As India's and South Africa's significance in their respective regional geographical areas increase, so too are their levels of collaboration between each other as well as in the international arena with other countries such as Brazil, China and Russia. South Africa is, along with these countries and India, a member of the BRICS association of up-and-coming world economic powerhouses.

This research paper attempts to compare and contrast the contemporary initiatives and developments within the maritime industry withinthe South Western Indian Ocean region, i.e. South Africa and Indiaand highlights the diverse intensification of planned maritime activities in the vicinity. The developments range from safety and security cooperation among nation states, to an increase in maritime piracy, human and drug trafficking within the mentioned area. The article explores the main concerns and examines the efforts undertaken both by South Africa and India to meet the challenges posed by these developments in order to achieve short-term and long-term maritime security within the Indian Ocean.
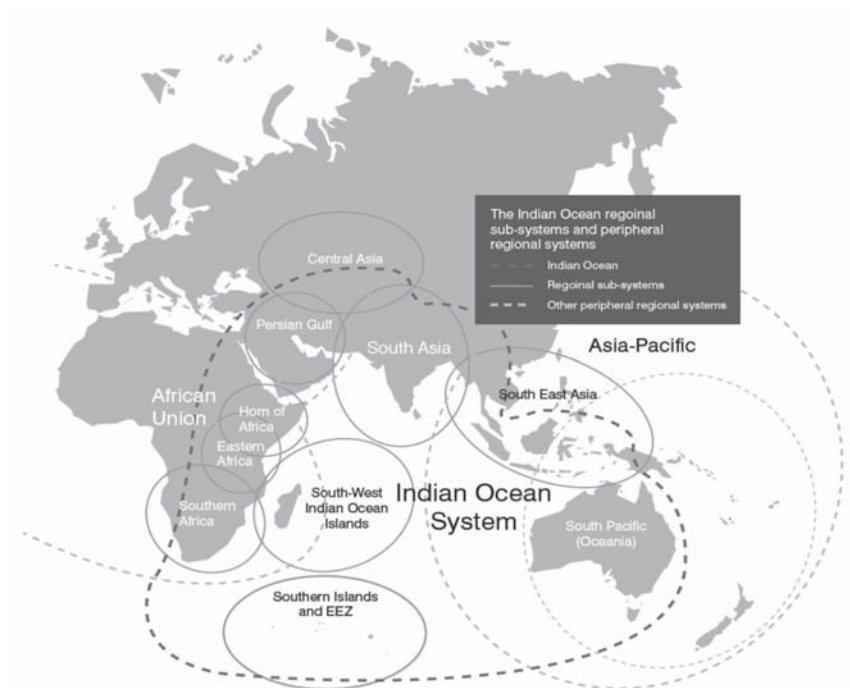

Figure 1:   Indian Ocean Regional sub-systems and peripheral regional systems (Rumley 2013:11)

Methodology

This research is based on an investigative study of the security challenges, policies, protocols and criminal activities that exist within the maritime industry. Due to the complexity of this research secondary source of data are used for methodical purposes. These comprise: a literature review of relevant legislative policies and statistical reports and records of contemporary research in the field of crime in the maritime sector; reports by intergovernmental and non-governmental organizations, as well as governmental agencies and documented studies conducted by researchers at academic institutions. Primary sources of data, given the sensitivity of the study and the risk involved in accessing human subjects to participate in the study, perhaps requires a more in-depth and longitudinal perspective. Despite the absence of primary data, the strength of this paper draws on expert studies in the field of maritime crime which serves as a baseline to inspire future studies. Hence this paper is an exploratory one based on available data which highlights the security challenges, policies, protocols and criminal activities that exist within the multi-billion dollar maritime sector and opens up opportunities for innovative assumptions and hypothesis to be formulated on the particular study of organized crime, piracy, illicit drug and human trafficking cartels operating in the Western Indian Ocean region.

History of India-Africa Maritime Relations

Indian maritime history began during the 3rd millennium BCE when inhabitants of the Indus Valley initiated maritime trading contact with Mesopotamia (David 2004). 5 April 1964 marks the National Maritime Day of India. On this day in 1919 navigation history was created when the ship SS Loyalty, the first ship of The Scindia Steam Navigation Company Ltd, journeyed to the United Kingdom, a crucial step for India shipping history when sea routes were controlled by the British.

India-Africa relations date back many centuries, to the time when Indian traders began to engage with countries along the eastern coast of Africa. By the end of the 20th century, the relations between India and East African countries witnessed a new turn, with many drivers and rallying points of the 20th century such as de-colonization and racial discrimination disappearing. Moreover, other drivers like Afro-Asian revival, the Non-Aligned Movement (NAM) and Collective Self-Reliance of the South were subsumed by new forces, resulting in the materialization of new post Cold War architecture.

The East African region is of direct importance to India because of numerous factors. This region forms a part of India's strategic maritime frontiers, which extend from the Persian Gulf to the east coast of Africa and across to the Malacca Strait. In addition, India's trade and investment in East African countries have reached considerable proportions, with India enthusiastically promoting trade with

these countries. In recent years, India's economic partnership with East African countries has been vibrant, extending outside trade and investment to technology transfers, knowledge sharing, and skills development. The influx of Indian aid, capital and personnel also had potentially profound developmental consequences for the numerous East African countries.

India is of direct interest to East Africa because of several factors. East Africa has a long Indian diasporic legacy. The Indian diaspora in the East African region plays a very significant role in promoting India-Africa relations. With their commerce ties with India and a good knowledge of Africa, Indians in East Africa have played a significant role in attracting innovative investments from India to the African continent. This is especially true, given that India is bestowed with foreign currency reserves, and the Government of India has lifted regulations and controls, to permit businesses to invest and set up abroad.

Overview of Maritime Economic Activities

Maritime is made up largely of shipping (maritime transportation and logistics) and the marine and maritime environment. These two sides of the maritime segment that support international trade and commerce are determined largely by maritime competences (both seafaring and ocean knowledge content).

According to the Government of India (2011:11) international trade is a cornerstone of the global economy. Exchange of goods amongst countries widen the choice of supply and ensures that production takes place where it is cheapest and best. This is reflected in the intensification of globalization and the fact that world trade is growing faster than the world output. World trade relies on cheap and secure transport. Maritime transport, enabled by, inter alia, technological developments and competitive costs, is estimated to handle over 80% world trade by volume and over 70% by value. As trade grows, the demand for maritime transport also grows. Technological developments in bulk and container transport have made maritime transport cheaper. Bulk transport involves shipping one homogenous commodity (e.g. grain, ore etc) at one time, but in large quantities; in contrast, container transport entails transporting different goods at the same time, but in standard containers that are easy to load and unload. However, the slower growth in world sea-borne trade compared to world trade in general reflects the weight of the goods transported increases at a slower rate than their value due to rising trade processed goods like electronic items, medicines, apparel, gems and jewellery etc.

India is a major maritime nation by virtue of its long coast line of around 7517 km on the western and eastern shelves of the mainland and also along islands bejeweled with 13 major and 176 non-major ports, strategically located on the worlds shipping routes (Government of India 2011:7). The ports play a vital role in the overall economic development of the country. Approximately 90% by volume

and 70% by value of the country's international trade is carried on through maritime transport. Development of India's ports and trade related infracture continues to be critical to sustain the success of accelerated growth in the Indian economy. The 13 major ports are administered by the Central Government under the Ministry of Shipping. The Remaining ports which are referred to as Non-major ports are administered by the nine maritime states and three Union territories within their respective coastlines (Government of India, 2011:8).

South Africa has no commercially navigable rivers, but ocean shipping has long been a feature of its transportation network, capitalizing on the country's two-ocean frontage. The earliest nineteenth-century shipping firms began as coastal carriers for local commerce, traveling between southern African ports. After World War II, private investors initiated an international shipping service, and in 1946 the state corporation, South African Marine Corporation (Safmarine), assumed control over the private company. Safmarine operates container ships, general cargo vessels, and bulk carriers for mineral exports, and, since the 1980s, has offered expanded service to Europe, North America, South America, and Asia (South Korea, Hong Kong, and Taiwan).

South Africa consists of 3000 km of coastline in three oceans, i.e. Atlantic, Indian and Southern Oceans, and is located on a major strategic shipping route. It has 8 established commercial ports, and a number of fishing and leisure harbours and marinas. Maritime trade is over 50% of the GDP. South Africa leads in Africa's intra-regional and Africa's international trade. The key partners such as BRICS are major regional maritime powers with vast maritime capabilities and interests in sea trade, commerce and naval influence. South Africa's strategic global maritime interests and international obligations include providing safety of navigation and ships, ensuring freedom of the seas and security of shipping supply chains as well as protection of the marine environment (South African Maritime Safety Authority (SAMSA) 2013:6).

The Indian Ocean Region (IOR) is demonstrably maritime. The national interests of its states range from the need to ensure the unfettered flow of maritime trade to support burgeoning, or emerging and struggling, economies to the need for effective management of the Indian Oceans vast "maritime commons," both national jurisdictions and high seas. It is in the maritime domain that the interests of IOR states largely converge, and it is at sea that the need for cooperative security is most pressing. It is also at sea that the best opportunities lie to develop mechanisms, and ultimately habits, of security cooperation that may in the future have application to more controversial security agendas. Thus the IRO maritime security has become a key factor for maritime trade (Cordner 2011:3).

Maritime Security Challenges

Apart from being the provider of trade routes, the sea provides food, commodities, income from tourism and even moderates the climate. However, these very attributes

result in exploitation– and illegal activities – in the absence of control. Maritime security is a key component of collective security and thus forms part of the foundation for economic development. Maritime transport faces a number of multi-dimensional security issues. Piracy (especially in the Indian Ocean), and armed robbery against ships are a serious threat to maritime trading routes, movement of humanitarian aid and regional stability. The proliferation of weapons of mass destruction, terrorism and organised crime, trafficking in drugs, human beings and weapons, and the proliferation of small arms are all examples of the intermingled cross-border challenges that countries and regions have to meet in the ever-changing security environment of the twenty-first century (European Commission 2011:1). By their very nature, security issues such as organised crime, terrorism, illicit trafficking in drugs, human beings and arms, and threats to critical infrastructure, are interconnected and transcend boundaries.Sustainable economic growth and social development are unthinkable without a safe environment in which they can flourish.

Countries emerging into democracy face numerous difficult challenges on the road to state-building. One of the most harmful is the rise of violent crime, which threatens weak state institutions and the rule of law. In a number of cases, this concern is accentuated by the presence of transnational organised crime. Instead of starting on a path of economic and institutional development, these nations are transformed into way stations on the route of illicit products – drugs, human trafficking, etc. South Africa is no exception. Twenty years post-democracy, however, there have emerged a greater number of role-players (Navy, Security and Defence, Criminal Justice, Ports and Harbour Officials, Marine and Tourism Industry, etc) that must be recognised in approaching the regulation and management of maritime issues and resources – much wider and more complex than before. The wide variety of maritime related activities are inter-related to some extent, and all have a potential impact on the prosperity derivative through their contributions to security, stability and safety. National, regional, continental and international organisations need to establish or improve existing mechanisms for 'maritime governance'.

The Indian Ocean seaboard of sub-Saharan Africa has historically not been given high strategic international priority. However, as competition for scarce resources intensifies, and China and India in particular become major role players in Africa, major Western powers are showing increasing interest in the region. Significantly, international interest in the whole Indian Ocean region is on the rise. The reasons for this include security concerns about instability that characterizes and destabilizes the region, the region's vital role in oil production and its importance for energy shipments, the wealth of resources and raw materials in the region, involvement of extra-regional powers in a number of conflicts, and the rise of new regional powers to project their power. Moreover, the maritime security environment

in the India Ocean also underwent transformation. Because of weak government structures and a limited capacity to control maritime domains, all types of illicit activities began to flourish in many parts of the Indian Ocean. As a result, the region's maritime security challenges are now considerable and are affected by key variables such as militarization within the region, the involvement of major and extra-regional powers, and non-traditional security threats (Potgieter 2012:4).Of these, maritime piracy, illicit trafficking in drugs and human trafficking challenges will be discussed.

Maritime Piracy

According to Potgieter (2012:6), maritime piracy which includes hijacking for ransom, robbery and criminal violence is very prevalent in the Indian Ocean. In the early 1990's attacks on ships using shipping lanes around South-East Asia (Indonesia, Malaysia, Thailand and the Philippines) and Africa began to increase as organized crime became involved. Although incidents of piracy seem to have decreased in the wider Indian Ocean since 2003, it increased along the east coast of Africa in the latter years of the first decade of this century owing to increasing activity linked to Somalia. Statistics of the International Maritime Bureau (IMB) indicate that of the 406 reported pirate attacks around the world in 2009, 297 occurred in the Indian Ocean Region. In 2010, piracy attacks increased in the same area to 311. The large number of pirate and hijackings off the Horn of Africa, is of great concern often making international headlines, and has resulted in considerable international interaction. Furthermore Potgieter maintains that: "attacks in South-East Asia and around the Indian sub-continent usually occur at anchorages or in approaches. As this type of attack is often conducted by thieves armed with handguns, knives or machetes, many attacks are under reported. Piracy around Somalia is different-the pirates are well armed and use a range of weapons, including automatic weapons, handguns and rocket-propelled grenades. Attacks take place while ships are underway, mostly but not exclusively in the Gulf of Aden or off the coast of Somalia. Pirates often use mother ships to enable them to conduct operations far from their bases and as such attacks have even taken place off the coasts of Kenya, Tanzania and the Seychelles. Ships are boarded or the pirates induce the ships to slow down by firing at them. If a vessel is boarded and captured, it is sailed to the Somali coast and the pirates then demand a ransom for the ship and its crew".

The lack of maritime security around the Horn of Africa causes a great deal of international concern as they not only threaten commerce, but also peace and regional stability, international trade and international energy flow (Potgieter 2009: 71). Taken as a whole, security of maritime traffic throughout the IOR is key strategic priority to the nations outside the IOR, and to the major trading nations and exporters within it. The largest part immediate near-term threat to the secure flow of shipping is piracy; a danger at present concentrated in the actions of Somali

pirates in the west, and broader variety of pirates and maritime criminals in the Strait of Malacca and Indonesia.

Illicit Drug Trafficking

One of the core activities of organized criminal groups is illicit drug trafficking which has major security implications. According to the United Nations Office on Drugs and Crime (2002:18) South Africa is by far the largest market for illicit drug entering Southern Africa. Its relative affluence within the region makes it a tempting "emerging market" in its own right. The country's geography, porous borders and international links with Asia, Latin America, Western Europe and North America have made it an attractive drug transit country. Drug trafficking and abuse has escalated in the past two decades, with the point of escalation traceable to the liberalization of most aspects of society post 1994. The relaxation of strict controls of land and sea borders, along with the enhancement of international trade and commerce, plus the influx of new cultural trends among the more affluent segments of the population, are all associated with the increase in drug trafficking and abuse as well as violent and organized crime groups.

Law enforcement sources estimate that the bulk of mandrax consumed in South Africa is imported from overseas-principally China and India. Wholesaling remains in the control of the Coloured (particularly organized gangs) and Indian/Asian communities. Retail selling and consumption are still to be found disproportionately high among the Coloured and Indian / Asian populations, although all ethnic groups participate at this level (Institute for Security Studies (ISS 2002).

According to UNODC (2011: 21), trafficking flows continue to show distinct patterns:

- Most of the cannabis herb trafficking is intra-regional.
- Most of the cannabis resin produced in Morocco is destined for consumption in West and Central Europe and North Africa. Cannabis resin produced in Afghanistan is primarily destined for neighbouringregions.
- Cocaine trafficking is both intra-regional and inter-regional.Cocaine produced in the three Andean countries (Colombia, Peru and the plurinational State of Bolivia) continues to be primarily destined for North America and West and Central Europe.
- Heroin trafficking is both intra-regional and inter-regional in nature. Heroin produced in Afghanistan is consumed within the region and/or trafficked to Europe.
- Trafficking in amphetamines continues to be mainly intra-regional.
- Ecstasy-trafficking has – traditionally – been intra-regional within Europe (as the origin of most of the ecstasy used to be Europe) and inter-regional for other regions. In recent years, the importance of Europe as a source

region has clearly declined. Production has shifted to other regions, notably North America and South-East Asia. Exports from the latter regions to other regions are, however, still very limited.

Trafficking flows vary according to the drug type involved. Long term trends indicate increased seizures for all drug types. In South Africa, as well as internationally, there has been an increase in drug related crimes over the past number of years, placing a strain on the economy's available resources. In the period 2004 to 2013 (South African Police Services 2013) drug related crimes rose by more than 100%. Illicit drug trafficking, one of the major activities of organised crime worldwide, benefits from insufficient international cooperation, regulatory inconsistencies, political obstacles and lack of governance.

Human Trafficking

Human trafficking is a major global concern affecting all regions of the world including Southern Africa. The challenge for all countries is to target the criminals who exploit desperate people and to protect and assist victims of trafficking as well as smuggled migrants, many of whom endure unimaginable hardships in their bid for a better life. Trafficking in persons occurs when persons are recruited, transported, transferred, harboured or received by means such as threat or use of force, or other forms of coercion, abduction, fraud or deception for the purpose of exploitation. The exploitation may include sexual exploitation, forced labour or services, slavery, servitude or the removal of organs. Trafficking is a severe violation of the human rights of its victims that continues during the entire period of their exploitation, which may last for years. It is often conducted across borders, sometimes over great distances, although certain countries have a significant problem of domestic human trafficking (UNODC 2012: 6).

Globalisation and increased technological networking within the maritime industry has come to be known as a widely used conduit for the transit of humans for illegal and illicit activities. As amajor global concern affecting all regions of the world including Southern Africa there can be little oversight on the role played by the maritime industry. To illustrate the nature and extent of human trafficking in South Africa the Human Sciences Research Council (HSRC 2010: 1) report confirms a portrait of human trafficking in South Africa that requires serious action by government and civil society to track and address the problem. The National Prosecuting Authority (NPA) conference on human trafficking on the 24 March 2010 States that human trafficking in South Africa is a serious problem and warrants intervention on all fronts. The report, Tsireledzani: Understanding the dimensions of human trafficking in Southern Africa, says victims are mostly women, girls and boys trafficked for variety of purposes, including prostitution, pornography, domestic servitude, forced labour, begging, criminal activity (including drug trafficking), and trafficking for the removal of body parts (or muti). Young boys

are trafficked to smuggle drugs and for other criminal activities. Such an observation illustrates the complicit role of the maritime industry in promoting and soliciting illicit criminal activities. However, considering that the aim of this paper is to examine the nature and extent of drug trafficking, such emphasis on human trafficking is made with a view to highlight the enormity of focus necessary by way of research on the maritime industry and a host of other related criminal activities that escapes the eyes of society. This is largely so because the maritime industry by its very nature is a mobile environment, away from the sight of humans living on earth and as consequence escapes the gaze of law enforcement officers, policy makers and society at large.

Iniatitatives, Developments and Safety Measures within the IOR

The United Nations Convention on the Law of the Sea (UNCLOS) establishes the legal framework for combating piracy but does not provide for investigatory or prosecutorial guidelines for international cooperation. The International Maritime Organisation's (IMO) (2014:1) depth of concern for the problem internationally is amply demonstrated by the levels of co-operation and coordination among naval and other forces from several countries that have assembled in the West Indian Ocean region and the Gulf of Aden to escort ships carrying humanitarian aid to Somalia and to protect vulnerable shipping. Notwithstanding this unprecedented effort, the vast sea area in which the pirates now operate makes it difficult to patrol and monitor effectively, particularly with the limited resources available. More resources, in the form of naval vessels and aircraft, are needed and at every opportunity the IMO encourages Member Governments to make greater efforts to provide the additional naval, aerial surveillance and other resources needed through every means possible. While there can be no doubt that the eventual solution lies in restoring effective governance the IMO has taken a leadership role in coordinating efforts to alleviate the problem from the maritime perspective. Facilitating discussions between industry, member states, security forces, and other UN agencies with an interest in piracy and other maritime-security issues is a key element of the work of the Organization, as is the development of both mandatory instruments and guidance. IMO works to effect solutions in consultation with representatives of Governments, through the London diplomatic community; with other UN organizations (the United Nations Office on Drugs and Crime (UNODC) and the World Food Programme); naval and military personnel; the shipping industry; seafarers and other concerned entities and individuals.

    IMO is implementing an anti-piracy project, a long-term project which began in 1998. Phase one consisted of a number of regional seminars and workshops attended by Government representatives from countries in piracy-infested areas of the world; while phase two consisted of a number of evaluation and assessment missions to different regions. IMO's aim has been to foster the development of

regional agreements on implementation of counter piracy measures. The IMO action plan places an emphasis on improving IMO guidelines to Administrations and seafarers and promoting compliance with recommended preventive, evasive and defensive measures. The IMO's Maritime Safety Committee (MSC) continues to stress the importance of self-protection as a deterrent to successful piracy attacks. IMO and the Maritime Organization of West and Central Africa (MOWCA) developed a Memorandum of Understanding in July 2008 to establish a sub-regional integrated coastguard network in West and Central Africa and provide the framework of cooperation and guidance for the implementation of the Network.

According to Defense Minister Arun Jaitley of Mumbai in India said (2014: 1): "Policing and protecting the maritime commons against the wide spectrum of threats is a high priority for all nations as it offers economic prosperity and security that comes from a safe and free maritime domain. Towards this, the Indian Coastguard has a very important role to play".

In India according to Rajat Pandit (2014:1), the Narendra Modi government will establish a National Maritime Authority (NMA) to ensure cohesive policy-making and effective coordination on coastal security. Though a slew of coastal security measures have been taken since 26/11, from a fledgling coastal radar network to state marine police stations, experts feel port and coastal security in India is still far from becoming impregnable.

The 15 or more agencies involved, ranging from Navy, Coast Guard, customs, intelligence agencies and port authorities to the home and shipping ministries, state governments and fisheries departments, often work at cross-purposes.

After 26/11, the UPA regime in August 2009 did constitute the national committee on strengthening maritime and coastal security against threats from the sea (NCSMCS), with the cabinet secretary as its chairman "while NCSMCS has done some good work in monitoring implementation of coastal security measures as well as coordination with different stakeholders, it has met barely 9-10 times since then... much more needs to be done," said a top official.

The national maritime domain awareness (NMDA) project, basically an integrated intelligence grid to detect and tackle threats emanating from the sea in real-time, for instance, is yet to take concrete shape. Its aim was to generate a "common operational picture'' of activities at sea through an institutionalised mechanism for collecting, fusing and analysing information from technical and other sources like coastal surveillance network radars, space-based automatic identification systems, vessel traffic management systems, fishing vessel registration and fishermen biometric identity databases.

South African Maritime Safety Authority (SAMSA 2011) reported that they were acutely aware that, despite the booming commodity trades between South

Africa and its trading partners, seaborne trade from South Africa is yet to make any noticeable contribution towards government policies. With all its vast international and national interests and obligations, its location as a maritime country, the lack of awareness about the sector persists. The maritime sector in South Africa suffers policy neglect and attracts very little attention as a sector which can create jobs, growth in the economy and make effective interventions in society. The sector remains untransformed and a domain for expatriates in the absence of skills development focussing on South Africans. SAMSA reported that there was a need for policy review to assist the growth of the maritime industry and an increased awareness of the existence of the maritime industry. On the 4 April 2012 an article in the Natal Mercury, aptly titled *"Marine resources un-policed"*, highlights the fact that marine policy has not transformed in the post-apartheid South Africa (Pressly, 2012).

International and regional cooperation cites the need for "international involvement" as one of six main areas of focus. The South African Police Service has accordingly posted an international Drug and Organised Crime Liaison Officer (DOCLO) in the United Kingdom and Brazil and has approved the appointments of DOCLO's in the United Kingdom and Brazil and has approved the appointments of DOCLOS's to Pakistan, India , Argentina, Thailand, Kenya, Nigeria, Zambia and Zimbabwe. The expansion of the DOCLO network is intended to enhance on intelligence sharing and joint investigations with participating countries. In terms of regional cooperation, South Africa is also a signatory to the Protocol on Combating Illicit Drug Trafficking in the Southern African Development Community (SADC) region. This was ratified by Parliament in July 1998. The protocol provides a policy framework that allows the SADC countries to reduce the regional supply of and demand for illicit drugs destined for international markets. South Africa is also an active member of the Southern African Police Chiefs Cooperation Organisation (SARPCCO) (Moseley 2009:9).

The United Nations Convention on Transnational Organised Crime and its Protocols on Trafficking in Persons and Smuggling of Migrants represent the first universal instruments that seek to comprehensive prevent and combat organised crime, trafficking in persons and migrant smuggling. The Protocols, once ratified, supplement the Convention and thus all of the general provisions of the convention apply equally to cases of trafficking in persons and migrant smuggling. As noted, the Convention and the Protocols are widely ratified, although the goal of universal ratification has not yet been achieved. The Trafficking in Persons Protocol sets out the framework for a holostic criminal justice response to the problem of trafficking in persons. As such it contains provisions on the definition and criminalization of trafficking in persons, the prevention of trafficking in persons and measures for cooperation, through information exchange, the strengthening of border controls and document security (UNODC 2012: 15).

Conclusion

Maritime security is an extremely multifaceted field. It integrates with traditional maritime security as well as with civil matters more often than not inscribed under the umbrella of maritime safety. As indicated these concern both to the economy and safety at sea, together with trade, safety of trade routes, free trade areas, port administration, health, customs, illegal migration, environment, the impact of extreme climate events, fisheries and illegal fishing, tourism, demarcation of territorial seas and exclusive economic zones (EEZs), off shore resource exploration (gas, oil, diamonds, manganese nodules, pearls), salt, wind or wave energy, sea rescuing, dumping of hazardous wastes, oil spillage, illegal migration and terrorism.

Due to the vast expanse of the sea, maritime offences and security cannot be addressed effectively by any one State as the international nature of these crimes has necessitated a concerted response by the international community to control them. The international approach to this enormous task has been to try and ensure that no safe havens exist for perpetrators and that every state has the authority to take action against ships suspected or accused of engaging in the commission of maritime crimes. Although the international community has sought to accomplish this through conventions and instruments requiring state parties to put into practice domestic measures enabling them to take the necessary law enforcement action, and through elected or established international institutions mandated to oversee the successful realization of the purposes of the relevant instruments, together with their implementation at the domestic level, this is far from being realised. Together with its goal to eradicate avenues of escape, the international community has also sought to attain world-wide endorsement of maritime security instruments.

Although maritime security has been addressed by many nation states, progress is needed in the areas of research, documentation, monitoring and evaluation of the maritime challenges discussed above. Policy and strategy responses to global piracy, illicit drug and human trafficking should be evidence based and systematically revised over time in accordance with data and research findings especially in the IOR. To achieve this, countries need to build their capacity to sustainably collect, store, analyse, report and share information concerning maritime issues and related conduct, and translate this information into legislation, national strategies and action plans.National efforts to counter maritime crime are often undermined by the lack of effective bilateral and multilateral mechanisms for the sharing of information and the coordination of operational activities among law enforcement agencies, border control authorities and other pertinent role players in this sector.

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