

A GLOBAL APPROACH INFORMS U.S. COAST GUARD STRATEGY IN THE BERING STRAIT REGION

REPORT ON GOVERNING ACROSS THE WAVES WORKSHOP



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The mission of CASP is to increase the effectiveness of governance in the Arctic by promoting research and academic thought, broadening collaborative partnerships, and educating future leaders about the complexities of this unique region.

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Foreword

I am pleased to present the following report titled “A Global Approach Informs U.S. Coast Guard Strategy in the Bering Strait Region.”

As human activity increases in the dynamic Arctic domain, the United States Coast Guard and its counterparts from the Russian Federation recognize the importance of the Bering Strait as a gateway to the Arctic Ocean with diverse commercial, recreational, scientific, and subsistence activities. Both countries cooperate bilaterally and multilaterally to ensure safe, secure, and environmentally responsible maritime activity in this vibrant waterway with extreme weather and sparse infrastructure.

The Governing Across the Waves workshop, organized by the Coast Guard’s Center for Arctic Study and Policy (CASP) and hosted by Bowdoin College, provided an important opportunity to learn from other nations that cooperatively manage transboundary waterways around the world. The case studies discussed at the workshop, informed by leading experts in maritime governance from around the world, offered unique insights for effective cross-border stewardship of straits and shared waterways.

The findings and recommendations detailed in this workshop report offer concrete steps to advance common goals of preserving human life, ensuring safe vessel operations, safeguarding subsistence interests, supporting robust economic activity, and protecting the marine environment. These goals, which highlight the vital role of the U.S. Coast Guard in the Arctic region, cannot be achieved unilaterally. The report emphasizes that the narrow Bering Strait waterway requires coordinated and collaborative management through a shared vision, informed by practical experience.

Perhaps unsurprisingly, the strongest finding contained in this report relates to the importance of nurturing a healthy relationship between national counterparts, which can facilitate trust, open communication, and proactive management. In this spirit, I am pleased to introduce our workshop summary report prepared by CASP, and thank all of those who joined us to discuss Governing Across the Waves.



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In September 2016, the U.S. Coast Guard led an academic and expert workshop for a two-day discussion of maritime governance. The workshop was convened with the intention of identifying lessons in maritime governance from other regions and subregions of the world that may be relevant to the emerging challenges the Coast Guard faces in the Bering Strait region (BSR), with specific focus on the challenges inherent in effective management of an international strait. Scholars and agency representatives with expertise in relevant regions were therefore targeted by workshop planners.

The workshop, hosted by Bowdoin College, brought together a diverse group of international scholars and policymakers with a range of experience across maritime regions. Approximately two dozen scholars participated, and an equal number of policymakers, including official delegations from the coast guards of Argentina, Chile, Japan, and Indonesia, as well as the directors of two agencies within the Russian Ministry of Transportation, the Northern Sea Route Administration and the Marine Rescue Service. The workshop was supported by a team of partner organizations, detailed on page 3.

The workshop consisted of five substantive panels:

- (1) Introduction to Bering Strait region
- (2) Ensuring safe and secure maritime activity
- (3) Ensuring environmentally responsible maritime activity
- (4) Ensuring resilience in a dynamic social-economic-environmental context
- (5) Ensuring coordinated decision-making and management

Specific regional and sub-regional areas considered during the workshop included:

- (1) South East Asia: Strait of Malacca; Lombok Strait; Sulawesi/Celebes Sea; Sea of Japan; Yellow Sea
- (2) South America: Strait of Magellan; Beagle Channel; Drake Passage
- (3) Europe: Baltic Sea; border bays between Ireland and UK

Key workshop recommendations/findings:

- (1) Importance of **contact**: regular dialogue and joint exercises to maintain relationships, maintained within formal structures
- (2) Importance of **vision**: shared high-level goals that can inform policy, and shared principles
- (3) Importance of **support**: both political and financial
- (4) **Learn by doing**: pilot projects
- (5) Focus on **changing human behavior**: socioeconomic monitoring, implementation and monitoring of policy, human compliance with policy, ownership by stakeholders

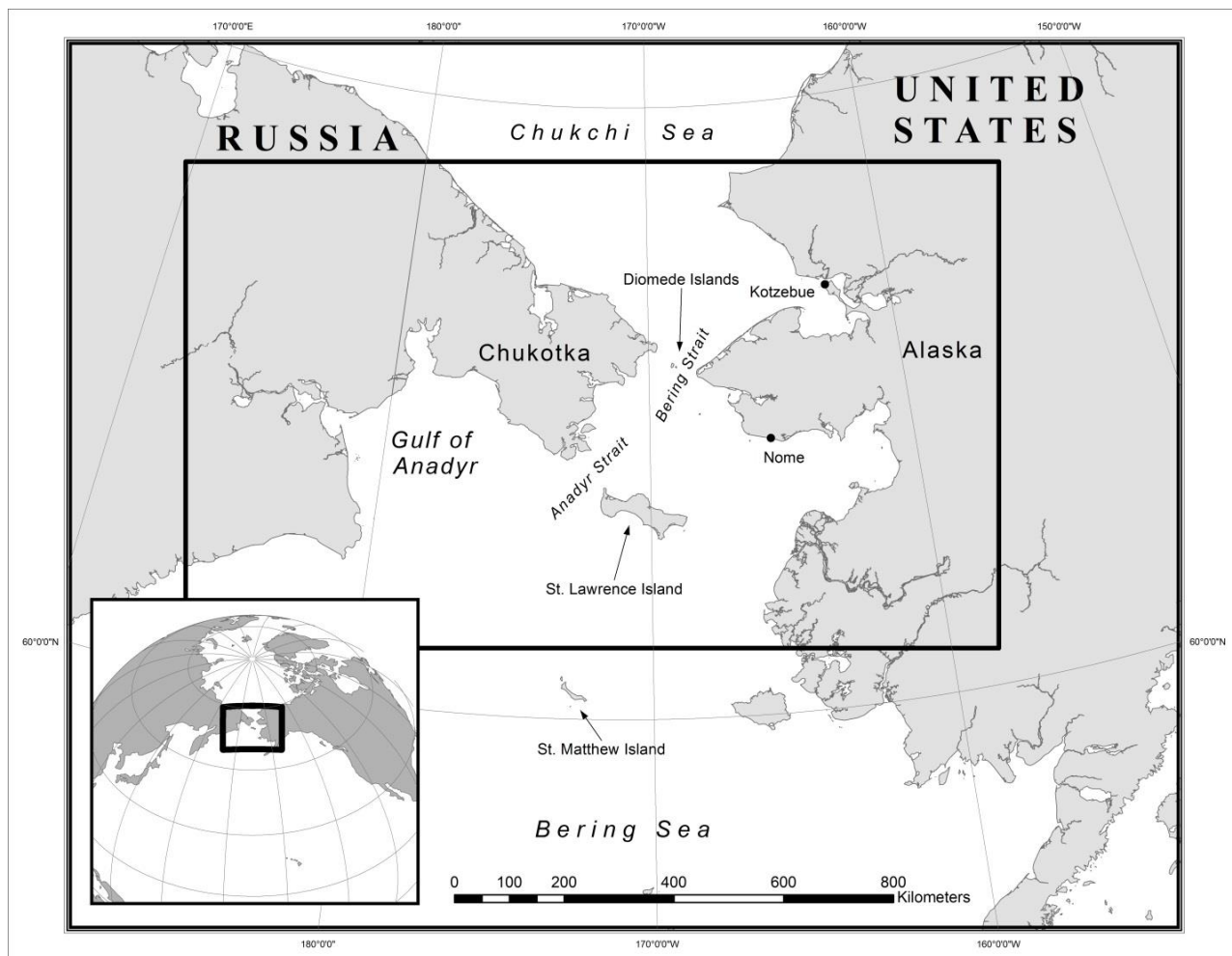


Figure 1. The Bering Strait region. Figure by Britta Schroeder (Wildlife Conservation Society), published in Huntington et al., 2015.¹

¹ Huntington, H. P. et al. (2015) Vessels, risks, and rules: planning for safe shipping in Bering Strait. *Marine Policy*, Vol. 51: 119-127.

SECTION 1: WORKSHOP BACKGROUND

(1) Workshop objectives

One of the USCG's top Arctic initiatives in support of the Coast Guard Arctic Strategy and National Strategy for the Arctic Region is the promotion of Arctic waterways management². The Bering Strait, as an emerging maritime corridor, is a key focus of this initiative; in addition, Bering Strait waterways management also contributes to overarching goals of improving domain awareness, modernizing governance, and broadening partnerships. All of these strategic objectives support the overarching common goal of ensuring safe, secure, and environmentally responsible maritime activity in the Arctic region. Given its environmental, geostrategic, economic, and cultural significance, the Bering Strait is therefore an important subject of USCG policy and strategy engagement.

The growing significance of the Bering Strait is a result of environmental change in the Arctic region, where rapidly diminishing sea ice is opening new possibilities for maritime activity, with concomitant concerns for environmental stewardship and subsistence uses.³ A 2015 study by the U.S. Committee on the Maritime Transportation Systems (CMTS) projected an increase in vessel transits through the Bering Strait of between 100-500% by 2025.⁴ While the range of this projected increase is quite wide, the clock is rapidly unwinding towards what is clearly an increased traffic context in the Bering Strait. Given these clear signals of an expanding role for USCG in a region that has hitherto not seen significant activity, USCG interest in the Arctic—and the Bering Strait in particular—is appropriate and timely.

The Center for Arctic Study and Policy (CASP) was tasked with developing academic projects that would advance Bering Strait management in 2015. Located at the U.S. Coast Guard Academy, CASP was established in 2014 to serve as an academic research asset for USCG, focusing on strategy and policy

² See U.S. Coast Guard Arctic Strategy (2013), https://www.uscg.mil/seniorleadership/docs/cg_arctic_strategy.pdf; U.S. Coast Guard Arctic Strategy Implementation Plan (2015), <https://www.uscg.mil/hq/cg5/cg55/docs/CGAS%20IPlan%20Final%20Signed.pdf>; and U.S. National Strategy for the Arctic Region (2013), https://www.whitehouse.gov/sites/default/files/docs/nat_arctic_strategy.pdf.

³ Current sea-ice data is available from the National Snow and Ice Data Center (NSIDC); 2016 is on track to have one of the lowest extents of sea ice (www.nsidc.org/arcticseaicenews/).

⁴ U.S. Committee on the Maritime Transportation System, "A 10-Year Projection of Maritime Activity in the U.S. Arctic Region." Prepared by the International Council on Clean Transportation. Available at (www.cmts.gov/downloads/).

objectives in the Arctic region. In response to a request from the Director of Marine Transportation Systems at Coast Guard Headquarters (CG-5PW), CASP proposed the “Governing Across the Waves” workshop, and began outreach to partners. With strong support from Bowdoin College, the Arctic Domain Awareness Center (ADAC) at the University of Alaska, the World Wildlife Fund (both U.S. and Russian offices), Oak Foundation, the U.S. Arctic Research Commission, the University of Idaho Center for Resilient Communities, and the National Science Foundation (NSF) Eyes North Research Coordination Network, as well as leading support from CG-5PW, CASP was able to build a supportive team of project partners and champions. CASP and CG-5PW are grateful to all our workshop partners and supporters.

The Governing Across the Waves workshop was designed to achieve the following objectives: (1) to convene a group of experts that could produce insights into transboundary waterways governance that would be relevant to U.S.-Russia management of the Bering Strait; (2) through this meeting, to identify relevant recommendations/best practices for transboundary maritime governance; (3) further, to identify areas for further research and development in the area of science and technology.



Coast Guard Cutter Bertholf and Russian Federal Security Service frigate Vorovsky participating in a cultural exchange exercise. Adapted from: <http://coastguard.dodlive.mil/2011/05/from-the-bridge-of-the-bertholf-a-word-from-the-commanding-officer/>

Using these objectives as a guide, the workshop team spent months identifying leading scholars and policymakers across relevant academic fields, including coastal planning, marine ecology, fisheries management, maritime policy and dispute resolution, sustainable development and management, and many more. Scholars with expertise in regions with relevant characteristics were of special interest: these included (1) maritime chokepoints; (2) subsistence-based, small Indigenous communities; (3) dangerous weather and climate; (4) fragile and unique ecology; (5) endangered species; (6) offshore energy extraction traffic and activity; (7) significant fishing activity; (8) cruise tourism traffic; and (9) communications and infrastructure scarcity. In addition, particular attention was paid to regions and subregions where the transboundary relationship was characterized by a degree of political and/or military tension.

Alongside efforts to identify and engage with scholars in these fields, workshop planners also worked with the U.S. Coast Guard office of international affairs and foreign policy (CG-DCO-I), as well as U.S. embassies, to extend invitations to coast guard counterpart agencies in countries with shared waterways. As a result of this outreach, the coast guards of Argentina, Chile, Japan, and Indonesia sent official representatives to participate in the workshop. In addition, the Russian Ministry of Transportation sent an official observer delegation. CASP and CG-5PW were honored to welcome our counterpart agencies, and remain grateful for their participation.

The U.S. Coast Guard is grateful to all the workshop participants: to the official representatives who shared their firsthand experience, and to the scholars and experts who helped provide data and analysis. We also thank the students, cadets, and staff whose tireless efforts ensured the successful execution of the event.

(2) Report structure

This report will summarize the workshop findings and address the achievement of the objectives listed above. The workshop was held under Chatham House rules, which forbid direct attribution of remarks or the detailing of workshop attendees. Every effort has been made to capture workshop insights at the granular level while protecting the privacy of participants and the sensitivity of topics under consideration. This report was produced by CASP, and circulated among workshop partners and participants for feedback before its release.

The section following this introduction addresses workshop recommendations and findings. The next section provides further discussion of the examples of formal structure for transboundary maritime cooperation that surfaced during the workshop, and adds detail that was left out during panel talks. The concluding section offers some possible steps for implementation of the recommendations detailed in this report.

(3) Methodology

Dr. Rebecca Pincus of CASP served as workshop rapporteur, and took detailed notes throughout the workshop. These notes were supplemented by additional notes taken by workshop planning team members, and special thanks are due to Mr. Samuel Klarich, who generously provided a full set of notes as well. These notes serve as a narrative body from which recommendations and best practices, as well as areas of further research, can be drawn.

The workshop documentation was first subjected to a thematically-oriented narrative analysis aimed at the identification of emergent clusters of statements relating to workshop objectives. The breadth of the five workshop panels produced a wide range of content, and therefore narrative analysis was primarily aimed at the identification of cross-cutting concepts that spanned multiple panels, bridged different disciplines, and united academic and practitioner speakers.

Five themes were identified that related to the stated objective of identifying recommendations for improving transboundary maritime governance in the Bering Strait region. These themes appeared as clusters of statements in the following broad areas: (1) contact/dialogue/cooperation; (2) vision; (3) political and resource support; (4) pilot projects; and (5) changing human behavior. Following the clustering process, further analyses aimed at providing a more granular understanding of these five themes, which supported the development of more specific and implementable suggestions.

The workshop narrative was broken into discrete units of speech: one for each presentation, as well as one for each workshop moderator and for each question-and-answer period. A simple coding of the workshop narrative for the five themes enabled basic analyses of cluster breadth across the units and depth within

each unit, as well as the distribution of themes between academic and policymaker populations. These analyses are represented visually in the following figures:

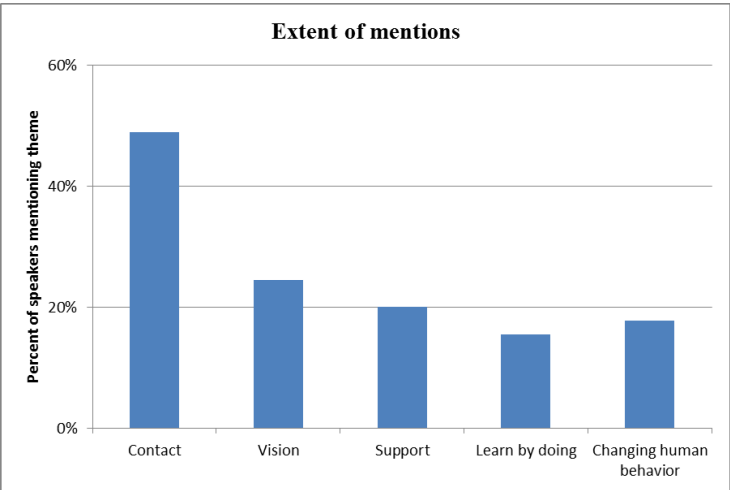


Figure 1. Mentions of themes across all speakers/units.

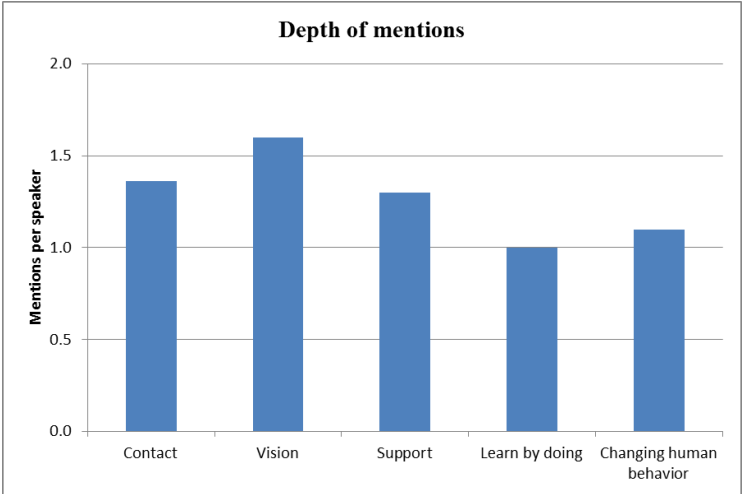


Figure 2. Mentions of themes per speaker/unit.

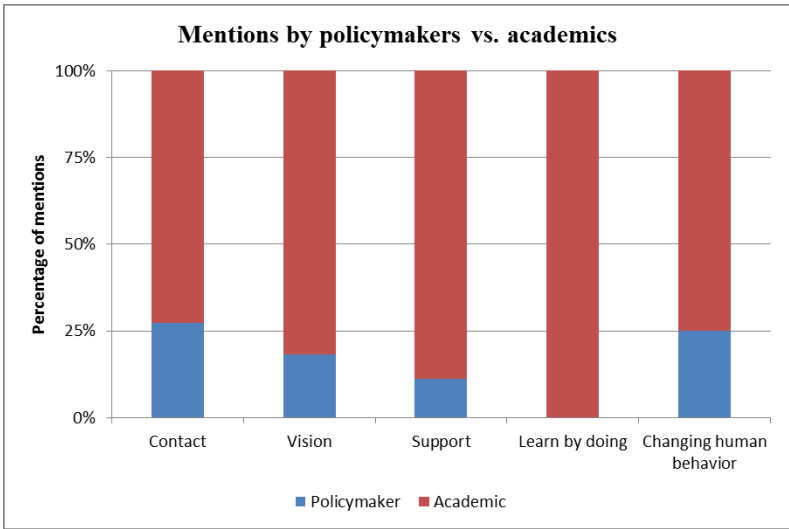


Figure 3. Mentions of theme by category of speaker.

SECTION 2: DISCUSSION OF RECOMMENDATIONS

(1) Contact

The most common theme by far was the importance of frequent and regular *contact* between states seeking effective transboundary waterways management. *Contact* was discussed in every panel, and mentioned by roughly half (49%) of all speakers (Figure 1).

Academic experts and policymakers were unanimous on this point: “The core thing is to build trust and relationships,” argued one panelist on the first day of the workshop, and another echoed this theme on the second day using the same language of “trust” and “relationships.” While these are somewhat fuzzy concepts, it is telling that the most heavily emphasized theme by far revolved around the importance of positive interpersonal relationships for building effective institutional partnerships.

The type of *contact* was further detailed by workshop speakers. Formal coordination structures were recommended. One speaker noted that a properly structured collaboration structure should be “ongoing and durable”, with “resources and authority” as well as “clear understandings of processes and roles.” Another speaker warned that any product of quick or “rushed” cooperation “is bound to fail.” These quotes underscore the importance of creating durable communication structures that will outlast personnel rotations and political appointments.

Joint exercises were the most frequently endorsed tool for ensuring *contact* between transboundary maritime authorities. Representatives of foreign coast guards offered many examples of transboundary joint exercises that shore up relationships in shared waterways, from biannual Argentina-Chile exercises for pollution prevention in the Beagle Channel, to MARPOLEX (Marine Pollution Exercise), also targeting oil spill response, which brings together the Philippines, Indonesia, and Japan every two years. These examples are detailed further in Section 3. Exercises were described as helpful tools to improve cooperation and coordination: “exercises help the members understand what is needed,” and also “helps with face-to-face meetings and information exchange.”

The usefulness of joint exercises also finds support in the academic literature on emergency response. In particular, scholars note that exercises improve interorganizational effectiveness through identifying

operational and planning flaws⁵, and also foment the establishment and maintenance of relationships that contribute to improved effectiveness in an emergency situation.⁶ Moreover, Perry (2004) found that joint exercises increased participants' confidence in effective teamwork among different identity groups of emergency responders (police, firefighters, and civilian volunteers), findings that suggest trainings may also support effective teamwork among similar organizations from different countries.⁷ Peterson and Perry (1999) found similar improvements: "the experience of working through a field exercise resulted in much higher levels of confidence in teamwork ability across different crews", in this case firefighters from different regions.⁸

Many of the joint exercises and formal cooperation structures identified by workshop participants related to oil spill preparedness and response. This finding underscores a related theme: the importance of finding a shared motivation for cooperation and dialogue. Using the frequency of oil pollution exercises as an indicator, it appears that this subject area is a strong motivator for transboundary cooperation.



UNITAS multinational maritime exercise to enhance security and cooperation.

Adapted from:
<http://www.southcom.mil/Media/Special-Coverage/UNITAS2016/>

⁵ Klima, D. A., et al. (2011). Full-scale regional exercises: closing the gaps in disaster preparedness. *Journal of Trauma and Acute Care Surgery*, 73(3): 592-598.

⁶ Perry, R. W. (2004) Disaster exercise outcomes for professional emergency personnel and citizen volunteers. *Journal of Contingencies and Crisis Management*, 12(2): 64-75. Also see Statler, M. and K. Penuel. (2011) *Encyclopedia of Disaster Relief*. Thousand Oaks: Sage Publications, Inc.

⁷ *Ib.* 74.

⁸ Peterson, D. M. and R. W. Perry. (1999) The impacts of disaster exercises on participants. *Disaster Prevention and Management: An International Journal*, 8(4): 241-255.

(2) Vision

Nearly all of the panels also underlined the importance of a shared *vision* for the transboundary maritime area in question. *Vision* was mentioned by about one-quarter of speakers. In addition, the *vision* theme had the greatest depth of all the themes: on average, speakers repeated the *vision* theme more often within a single set of remarks than any other theme (average 1.6 mentions).

While *vision* might seem like a relatively unimportant or soft concept for policymaking, speakers repeatedly emphasized the importance of identifying shared management goals or values as a means to ensure better overall cooperation and implementation of policy measures. “The vision is an important step that often doesn’t get enough time,” as one speaker bluntly stated, arguing that hidden differences may emerge later to spoil the process or create conflict among stakeholders.

Panelists discussed the importance of starting from shared objectives as a means of guiding scientific work: scientists need to engage with management objectives beforehand so that their science is ready to be applied to the management scenario. Shared objectives can serve to create common ground for stakeholders from very different institutional or community backgrounds, and can therefore help unify effort across different sectors (for example, science and management).

Vision was frequently discussed in terms of “principles” and also “objectives”, which serve to orient and guide coordinated action. The identification of a common *vision*, and/or shared principles/objectives, might be achieved through the development of an explicit document, or as part of a more formal process, which provides a tangible basis for all future activity. For example, the Arctic Coast Guard Forum has developed and adopted a “Strategic Roadmap” that serves to identify objectives and milestones, ensuring continual progress along the track of a shared *vision*. The formal adoption of such an explicit statement of shared *vision* and/or principles may facilitate coordination effectiveness.

While *vision* does not find a great deal of traction in organizational and/or network effectiveness literature, there has been a significant effort to explicate the effects of organizational “values” on outcomes, including effectiveness and collaboration. For example, Järvensivu (2007) presented a major



Leaders representing the eight Arctic nations officially establishing the Arctic Coast Guard Forum. Adapted From: <https://thebarentsobserver.com/en/security/2016/06/arctic-nations-deepen-coast-guard-cooperation>

case study on the influence of organizational values on collaboration, concluding that congruity in organizational values between collaborative organizations plays an important role in cooperation. The success of any cooperative venture will be shaped by the values of each organization, and therefore a key leadership objective should be identifying values and employing strategies for amplifying positive influences while minimizing negative influences of values on network cooperation.⁹ An emphasis on organizational values and the effects of values on collaborative partnership effectiveness may be of particular relevance to USCG, a strongly values-driven organization with an identity closely linked to explicit values. The congruity of these values with those of potential partner organizations may influence partnership effectiveness, and may warrant further research. Further explication of the usefulness of values in supporting effective inter-organizational cooperation can be found in Lina Svedin's book, *Organizational Cooperation in Crises*.¹⁰

⁹ Järvensiva, T. (2007). Values-driven management in strategic networks: a case study of the influence of organizational values on cooperation. Helsinki School of Economics.

¹⁰ Svedin, L. (2009). *Organizational Cooperation in Crises*. Surrey: Ashgate Publishing.

(3) Support

The importance of *support* for management efforts was also emphasized. The *support* theme encompasses both *political support*, which was generally discussed in relation to civilian political leadership, as well as *financial support* that enables transboundary measures to be fulfilled.

As one panelist argued, “the key to success is keeping civilian leaders engaged in governance structures,” and maintaining confidence in these structures, in order to prevent military leaders from entering the dialogue space. This argument underscores the greater facility towards cooperation on traditionally civil security/constabulary issues of maritime governance, including safe shipping, environmental stewardship, and resource management. Absent *support* from civilian leadership, governance structures may weaken, and increasing focus may rest on military issues and actors that may complicate transboundary cooperation.

Support from political leadership is particularly important given the high complexity of Arctic issues, which frequently implicate divergent subject areas including climate change/earth sciences, economics and industry development, community and Indigenous rights, environmental protection, and international affairs. Many different areas of government, in both the United States and Russian Federation, are involved to a certain degree in Arctic policy, and the informed and active *support* of appropriate leadership is therefore key in maintaining a coherent overall policy approach and combatting stovepiped agency efforts.



Adm. Zukunft testifies on Coast Guard budget request. Adapted from:
<http://coastguard.dodlive.mil/tag/congress/>

One speaker focused in on the need for the U.S. Coast Guard to persuade the “rest of the federal government” of the importance of transboundary management in the Bering Strait region. Speakers emphasized the importance of “sustainable and reliable funding” as well as “ensuring and maintaining political support” for coordination efforts.

(4) Learn by doing

Another consistent theme was the importance of *learning by doing*, which was generally tied to the use of pilot projects as a means of encouraging stakeholder buy-in and developing practical experience. The importance of *learning by doing*, or “taking a pilot approach,” was mentioned by 15% of speakers.

Clear links are present to the *contact* theme, which was strongly underscored by policy-focused speakers. *Learning by doing* is closely connected to the emphasis on joint exercises, discussed in the context of the *contact* theme. However, there are clear differences between *contact*, which primarily emphasizes relationship-building, trust, and building communication links, and *learn by doing*, which centered on building effective cooperation through practical joint operations. Speakers tended to emphasize pilot projects, or smaller initiatives that could test concepts and demonstrate value to stakeholders inside and outside government. The use of pilot projects was referenced in terms of its utility in generating buy-in from a variety of stakeholders whose support might be crucial to long-term goal achievement.

Speakers described pilot projects as practical tools for “getting stakeholders onboard,” by doing short-term projects that “are immediately relevant” to target populations. Through this approach, management authorities can build support that will enable larger-scale and longer-term policy interventions. Pilot projects also ground-truth concepts developed at higher policy levels, making “high level instruments more practical on the ground,” and improving the coordination of decision-making. Other speakers echoed this last point about the practical effects of pilot projects: “There is a major gap between policy on paper and putting it into practice,” argued one speaker, pointing to pilot projects as a means to close that gap and ensure improved implementation outcomes.

Interestingly, *learning by doing* was only recommended by academic speakers: no policymakers mentioned this theme. Perhaps this can be explained as a product of different language between these different communities. Policymakers more frequently emphasized joint exercises and joint operations,

which generally can be executed in a quasi-pilot approach: starting small, demonstrating success and achieving buy-in, and then building and extending. While terms may differ, both groups of participants emphasized the importance of taking practical actions in a sequenced approach to build cooperation and grow support.

(5) Changing human behavior

Many panelists stressed the importance of focusing on desired *changes in human behavior* as the end objective of policymaking. This theme was mentioned by almost 20% of speakers, but had the lowest depth of all themes, averaging one mention per unit.

“It’s about influencing behaviors”, explained one panelist. Other panels echoed this theme: the goal of policymaking is to have people complying with management. With that goal in mind, it becomes crucially important to focus research on “what results in the alteration of human behavior” when “crafting tools.” Another panelist argued that the desired changes in behavior must be made “transparent”, and monitored “from the start”, because a lack of clarity and monitoring can lead to implementation problems.

Another noted that incidents are often due to human error or failure to follow proper procedures/policy, rather than the absence of good rules. This simple, yet profound observation, indicates that forward-looking authorities should focus on effecting positive change through the rulemaking and implementation process, rather than emphasizing rulemaking itself.



*Ship drivers on the bridge of NOAA Vessel Rueben Lasker. Adapted from:
<http://coastguard.dodlive.mil/2014/12/stengthening-coast-guard-noaa-partnerships/>*

Shaping human behavior was not solely framed as a government → public flow, however. Several speakers, across both academic and policymaker communities, emphasized the role of responsible authorities in providing information that informs decision making in target populations. Policymakers need to ensure that “*ship drivers are enabled to make good decisions*,” noted one speaker, highlighting the important ways that authoritative information from reliable governmental sources may shape human behavior without requiring more forceful policy interventions.

SECTION 3: DISCUSSION OF REGIONAL CASE STUDIES

Workshop objectives included the production of insights into transboundary waterways management, as well as the identification of areas for further research. This section will address these objectives by further detailing the formal regional and subregional national cooperation structures mentioned by workshop speakers as possibly informing governance in the Bering Strait region.

(1) Insights from Southeast Asia

Several international cooperative measures contribute to maritime cooperation in southeast Asia. The high level of vessel traffic through the Straits of Malacca and Lombok, as well as the high rate of tanker movements through the regional seas around the Indonesian archipelago and the Japanese islands, have led to international cooperation aimed at preventing and responding to oil pollution incidents. Southeast Asian nations have constructed several cooperative mechanisms to facilitate effective regional maritime governance that may offer insights relevant to the Bering region. Policymakers and experts from SE Asia emphasized many of the key findings contained in this report, in particular the importance of regular dialogue, meetings, and joint exercises to develop and sustain good working relationships between counterpart agencies, and to ensure effective interoperability.

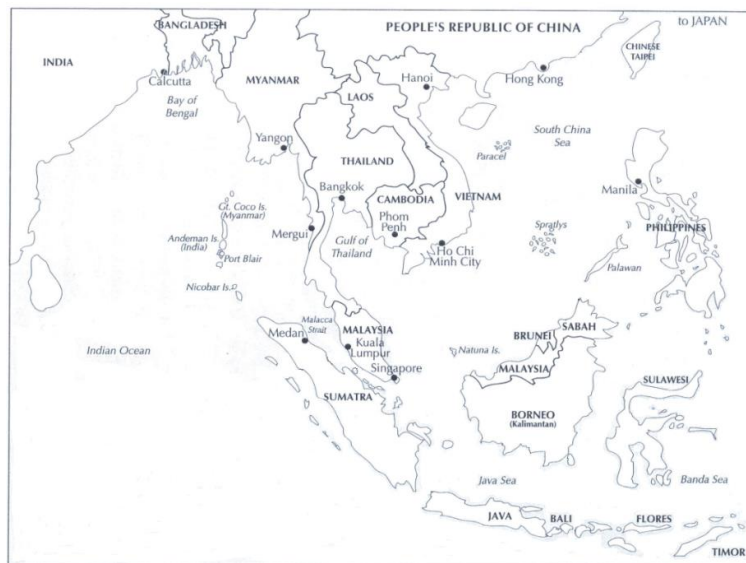


Figure 2. Map of southeast Asia. (Adapted from *The South China Sea*, www.southchinasea.org/maps/economy.)

NOWPAP: The North West Pacific Action Plan links China, Japan, Korea, and Russia in the areas of contingency planning for large-scale oil spill incidents. NOWPAP is intended to preserve the environmental integrity of the Sea of Japan and the Yellow Sea, and is part of the UNEP Regional Seas Programme.¹¹ Parties meet annually, and every two years joint exercises are conducted, with two nations hosting.

MARPOLEX: The Marine Pollution Exercise is an action plan established by the Philippines, Malaysia, and Indonesia, with the goal of combatting oil spill pollution in the Lombok Strait and Sulawesi Sea areas. In support of these objectives, marine oil spill pollution exercises are held every two years, with Japan participating alongside Indonesia and the Philippines. Exercises are intended to “enhance interoperability” between the three coast guards, as well as improve preparedness and test new techniques and equipment (PCG, MARPOLEX).¹² The MARPOLEX exercises are intended to include more ASEAN member nations in the future.

Malacca Strait Patrols (MALSINDO/EiS/IEG): A joint effort involving Indonesia, Thailand, Malaysia, and Singapore in combatting illegal activity in the Malacca Strait. Ships and aircraft conduct coordinated patrols. Aerial patrols are conducted via the Eyes in the Sky program. MALSINDO was the initial stage of cooperation between Malaysia and Singapore, which was incorporated into the MSP in 2006. In the same year of formalization of the MSP, Lloyd’s delisted the Malacca Strait from the “high risk war zone” category, which one observer has argued “vindicated the feasibility of a regional approach in collectively addressing a common security problem which setting aside intra-regional differences.” (Collin, 2016)¹³ Significant reductions in incidents in the Strait suggest the effectiveness of this joint approach.

¹¹ Further information can be found at the NOWPAP website: <http://www.nowpap.org/>

¹² Philippine Coast Guard website, “MARPOLEX 2017.” <http://www.coastguard.gov.ph/index.php/11-news/1351-marine-pollution-exercise-marpolex-2017-marpolex-planning-and-signing-conference>

¹³ Collin, Koh Swee Lean. (2016) “The Malacca Strait Patrols: Finding Common Ground.” RSIS Commentary. <https://www.rsis.edu.sg/wp-content/uploads/2016/04/CO16091.pdf>

(2) Insights from South America

The transboundary maritime governance arrangements pertaining to the Strait of Magellan and nearby waterways were of particular interest, given that the extreme climatic conditions found off the southern tip of the South American continent present challenges akin to those found in the Bering region. In addition, Chile and Argentina are familiar with the maritime traffic associated with the South Pole and Antarctica, including significant and growing cruise ship traffic. The history of tension between Argentina and Chile makes their cooperation on maritime governance of particular interest. The examples below illustrate the usefulness of regularized meetings, formal cooperation structures, and an emphasis on areas of shared interest. The fact that cooperative structures linking Chile and Argentina, and also Uruguay and Argentina, were formalized through the treaty process indicates that unresolved tension can escalate to a high level requiring involvement from the top of government: this is further support for early efforts aimed at building cooperation at the agency/ministerial level.



Figure 3. Map of Cape Horn. (Adapted from Wikimedia Commons.)

Treaty of Peace and Friendship between Chile and Argentina (1984): With tension escalating between the two nations, Pope John Paul II was asked to serve as mediator between Argentina and Chile in order to resolve longstanding boundary disputes that included maritime areas. The resulting treaty includes specific provisions dealing with navigation routes, the use of pilots, and other measures intended to strengthen maritime coordination and predictability, in order to achieve treaty goals that included “economic cooperation and physical integration”.¹⁴ Cooperation is supported through biannual meetings of maritime authorities concerning safety of navigation, information exchange, and exercise coordination for pollution prevention. These meetings rotate between Chile and Argentina.

Rio de la Plata Treaty (1973): Full title, “Treaty between Uruguay and Argentina concerning the Rio de la Plata and the Corresponding Maritime Boundary”. The treaty served to resolve the maritime boundary between the two states, and “lay the bases for broader cooperation”, taking a place-based approach specific to “the special characteristics of the river and maritime territories involved and the technical requirements of their full use and exploitation...”¹⁵ The treaty addressed areas of joint and individual effort including ATON (aids to navigation), channels, navigation rights, and other important elements of maritime transportation systems. The treaty also established an Administrative Commission responsible for the promotion of scientific research; regulation of fisheries; regulation of pilotage; adoption of joint plans and communications; establishment of procedures pertaining to SAR (search and rescue); ATON and buoying; and other necessary functions. A Joint Technical Commission was also established, responsible for research and policy relating to living marine resources and the marine environment.

(3) Insights from Europe

The two European areas discussed at the workshop offered notable parallels to the Bering Strait region, and offered further support for the workshop themes. The tension between the United Kingdom, the

¹⁴ Treaty of Peace and Friendship between Chile and Argentina, 29 November 1984. Accessed via <http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/CHL-ARG1984PF.PDF>

¹⁵ Treaty between Uruguay and Argentina concerning the Rio de la Plata and the Corresponding Maritime Boundary, 19 November 1973. Accessed via <http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/URY-ARG1973MB.PDF>

Republic of Ireland, and Northern Ireland had taken the form of open, low-level conflict beginning in the late 1960s, and the three decades of conflict before the 1998 Belfast/Good Friday agreement are known as the Northern Ireland conflict or “The Troubles.” Maritime boundaries and governance structures were an important element of the peace agreement, and paved the way for transboundary cooperation in waterways shared between the Republic of Ireland and Northern Ireland today, including Lough Foyle and Carlingford Lough in the Irish Sea. Similarly, the Baltic Sea today is notable for a high level of international cooperation for maritime governance among states with a history of open conflict in the 20th century. These examples of cooperation following very high tension are inspiring and important reminders of the ability of nations to develop effective and robust cooperative structures for maritime governance. A key insight from a review of the examples below is the importance of formal structures for transboundary cooperation in areas with a history of conflict. Where a residual level of tension and/or political sensitivity exists, formal structures may be better at communicating the importance of cooperation on specific areas of shared priority, like environmental protection or fisheries management, while informal cooperation may appear problematic or be subject to political developments.

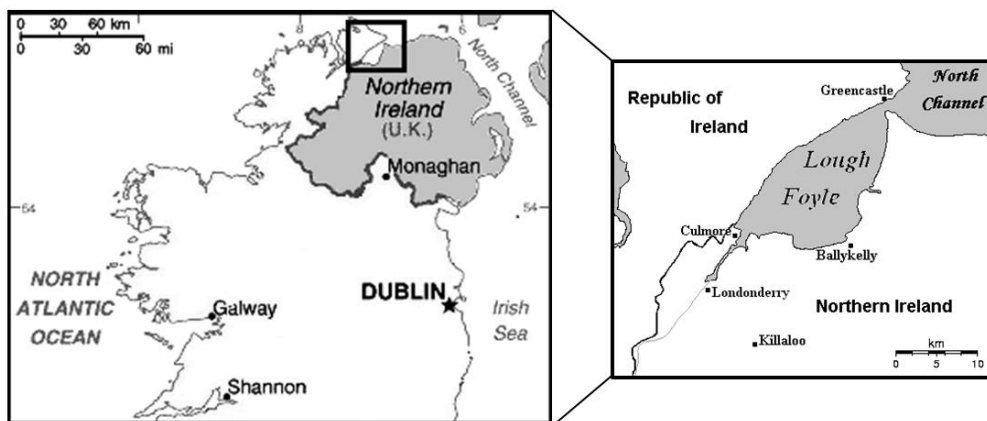


Figure 4. Map of Ireland and Northern Ireland, with detail of Lough Foyle. (Adapted from CIA World Factbook and Wikimedia Commons.)

Belfast/Good Friday Agreement (1998): The Belfast Agreement, also known as the Good Friday Agreement, was signed in 1998 and brought an end to long-running conflict in Northern Ireland. The agreement covered the creation of a democratically elected Assembly, as well as several structures for cooperative management: the North/South Ministerial Council, the British-Irish Council, and the British-Irish Governmental Conference. The North/South Ministerial Council was established to support consultation, cooperation, and action through six implementation bodies; the most relevant of these to

maritime governance are Waterways Ireland and the Foyle, Carlingford, and Irish Lights Commission (FCILC). Waterways Ireland is responsible for the management and development of the inland navigable waterway system, and FCILC is responsible for the development of fisheries and aquaculture in Lough Foyle and Carlingford Lough, as well as lighthouses/ATON¹⁶. The British-Irish Council was established to “promote positive, practical relationships among the people of the islands; and to provide a forum for consultation and cooperation.”¹⁷ The British-Irish Council operates from a secretariat based in Edinburgh, Scotland, and brings together leaders and policymakers from the United Kingdom, Ireland, Northern Ireland, Scotland, Wales, Jersey, Guernsey, and the Isle of Man.

Helsinki Convention (1992): Full title, “Convention on the Protection of the Marine Environment of the Baltic Sea Area.” All of the countries bordering the Baltic Sea are parties to the Helsinki Convention, including the European Community along with Germany, Latvia, Sweden, Estonia, Finland, Denmark, Lithuania, Poland, and Russia. The Convention addresses the entire Baltic Sea, from land-based measures to prevent pollution runoff in the catchment basin to the waters of the Baltic and the seabed.¹⁸ The Helsinki Convention is governed by HELCOM, the Baltic Marine Environment Protection Commission - Helsinki Commission, which develops common environmental objectives and actions, information to support decision-making, recommendations, monitoring and implementation oversight, and



Figure 5. Map of Baltic Sea (adapted from Wikimedia Commons)

¹⁶ North-South Ministerial Council, “Implementation Bodies.” <https://www.northsouthministerialcouncil.org/content/north-south-implementation-bodies>

¹⁷ British-Irish Council, “About the Council.” <https://www.britishirishcouncil.org/about-council>

¹⁸ Convention on the Protection of the Marine Environment of the Baltic Sea Area. http://www.helcom.fi/Documents/About%20us/Convention%20and%20commitments/Helsinki%20Convention/Helsinki%20Convention_July%202014.pdf

coordination of multilateral response in the event of major maritime incidents.¹⁹ The Commission meets annually, with ministerial level meetings “every few years”, and a two-year rotating chairmanship. One of the focus areas is oil pollution: HELCOM carries out **BALEX DELTA** oil pollution exercises annually. A full list of the BALEX DELTA exercises is available on the HELCOM website, including film footage of most exercises since 2004.²⁰ HELCOM issued a Manual on Cooperation in Response to Marine Pollution, which is currently a three-volume guide to operational cooperation, surveillance, and spill response (including oil and chemicals) at sea and onshore.²¹

¹⁹ HELCOM, “About Us.” <http://www.helcom.fi/about-us>

²⁰ HELCOM BALEX DELTA exercises information available at <http://www.helcom.fi/action-areas/response-to-spills/helcom-balex-delta-and-other-exercises/>

²¹ HELCOM Manual on Cooperation in Response to Marine Pollution available at <http://www.helcom.fi/action-areas/response-to-spills/manuals-and-guidelines/>

SECTION 4: POSSIBLE IMPLEMENTATION OF RECOMMENDATIONS AND BEST PRACTICES FOLLOWING THREE RECOMMENDATIONS DRAWN FROM THE WORKSHOP

1. Institute regular transboundary dialogue

→Dialogue should be regularized between appropriate U.S. and Russian authorities, to include identification of management objectives (*vision* theme) and planning and execution of joint exercises (*contact, learn by doing* themes).

This recommendation more specifically suggests initial discussions address the threat of oil spills and pollution, as well as coordination of maritime domain awareness and marine traffic management strategies. Coordinated efforts in domain awareness and traffic management have proved effective in other regions, and are strongly supported by the extreme conditions present in the Bering region as well as the current paucity of response assets.

Given the proximity of Canadian areas of responsibility and sovereignty to the Bering Strait region, this recommendation further suggests the inclusion of Canadian authorities in some of the transboundary dialogue opportunities, in order to further enhance regional coordination in an area where environmental challenges and sparse infrastructure underscore the importance of joint efforts.

Judging by the examples discussed during the workshop, this recommendation further suggests that transboundary dialogue opportunities be held on an annual schedule, with exercises on a bi- or triannual basis. Given regular rotation of personnel through key positions, it is important to maintain a regular tempo of interaction in order to preserve institutional relationships and knowledge. Meetings should rotate across the Bering Strait and should be supplemented by interstitial phone and email contact.

The U.S. Coast Guard has a broad set of authorities, including maritime traffic oversight, border enforcement, and environmental/resource protection, which contrast with the relatively distributed nature

of authorities among Russian counterpart agencies. Therefore, this recommendation further suggests that both nations provide concise bilingual guides to their systems of managing responsibilities and authorities in the Bering Strait Region, which should be regularly updated as appropriate.

2. Conduct education efforts

→Education efforts should focus on political leadership to build support for meetings, exercises, and other direct costs associated with increased transboundary cooperation (*support theme*).

Political and financial support for transboundary cooperation can be shored up through education efforts aimed at raising awareness of anticipated increases in marine activity and concomitant increases in risk. Increased activity may take the form of destinational and transshipping, resource development, fishing, and tourism, but will require enhanced monitoring and oversight in order to ensure desired outcomes.

While the complexity of the emerging challenges in the Bering Strait region (and broader Arctic) makes effective education more difficult, there is a compelling and important story about increased opportunity and increased risk that should be communicated in frank and data-supported terms, contextualized by broader U.S. national interests.

Creative approaches to resourcing, capabilities, and partnerships should be presented in light of the complex challenges and constraints in the region. New technologies, including unmanned platforms, and connections across multiple national objectives and departments, may be an effective aspect of education.

Education efforts should also be aimed at increasing public awareness of the strategic significance of the Arctic region to broader U.S. national interests, and the leading role of the USCG in supporting national objectives. In this, the example set by the State Department's "Our Arctic Nation" campaign may provide useful insights into effectively engaging with segments of the public on Arctic topics.

3. Initiate outreach efforts

→Work with academic/advocacy bodies to plan and implement engagement projects with stakeholder communities that include socioeconomic indicators tied to management objectives and potential interventions (*human behavior* theme).

Outreach efforts should include the State of Alaska, which may have an important role to play in policy initiation and implementation pertaining to government-industry networks and infrastructure development. The National Science Foundation and key members of the policy and advocacy communities may also have potential contributions to outreach and research in these areas.

Outreach can also include further research into aspects of effective maritime corridor management in the transboundary context. In particular, this recommendation further recommends additional study of best practices in government-industry partnerships, and national-subnational government partnerships, for effective waterways governance. Outreach and research efforts should be undertaken in partnership with key stakeholders outside government, including local community and subsistence interests, industry groups, advocacy organizations, academic partners, and others. In addition, a networked approach that recognizes the cross-cutting nature of transboundary maritime governance is crucial: there are important vectors linking maritime activity, infrastructure, investment, regulation, and international law. These dynamics should be considered when developing an outreach program.

DISCLAIMER

This report was produced as a result of the *Governing Across the Waves* workshop organized by the Center for Arctic Study and Policy (CASP). The views herein are those of the authors and do not necessarily reflect the views and policies of the Commandant, of the United States Coast Guard, or of the Department of Homeland Security.