



Coast Guards and Maritime Partnerships: An Over-the-Horizon Perspective

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Coast guards are unique forces with global potential. The first coast guard was created nearly four centuries ago in Europe, but countries are still unable to make the most of these forces even in the post-UNCLOS (United Nations Convention on the Law of the Sea) world. This paper underscores their strategic role and argues that the coast guards can accentuate their value in the geostrategic context by establishing maritime partnerships. Engaging the coast guards in maritime partnerships can also lead to combined and enhanced responsibility towards the global commons at sea.

Introduction

An overture leading to strategic appeal, like the idea of this paper, should contain factual and considered definitions of principal facets that hold it together. Parachuting an idea for realisation straight into the midst of anchored ships at sea or a gathering of knights in the legendary Camelot before a strike may not be appropriate. Such an attempt may unleash surprise, but is sure to lose its shine sooner or later. Often governments are not

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serious about ideas shot at them, though some may invite them for egalitarian appeal. Mostly governments focus their search for methods and procedures in the tunnels of bureaucracy and the mumbles of confidants. This statement is also suggestive that the topic of this paper can only be realised by governmental systems: but governments do have their own limitations.

This paper is about transforming a coast guard in the geostrategic context to maximise the yield; however, it needs the will of governments at global level. No government, barring some exceptions, has realised the potential of the coast guard as yet. For this reason, the coast guards remain one of the most highly undervalued and underutilised forces in the world. One of the reasons is the inherent landclasp syndrome embedded in the human system,¹ but there are signs that things may change. Presently, the United States is the only country that is engaged in long-range coast guard operations with definite national objectives. However, China has understood the need for power, size and range for its coast guard and is developing and exploiting an outward-looking coast guard.² Although China's plans for a coast guard are yet to unfold, it is expected to have vessels about three times larger than the 4500-ton 'Legend class' cutters of the US Coast Guard.³ The good news is that the reluctant others may take cues from such a change of policy and exploit their coast guards for the better. The bad news is reserved.

Defining the Terms

The title is a marquee statement. In strategic parlance, the paper is not about a force-specific approach. The coast guard on its own doesn't have to be at the centrum of geostrategic context for any government. A wavering glance may shift the concern to maritime partnership which obviously has to be between countries of the global archipelago. The coast guard could be one of the chosen instruments, causative to the geostrategic policies of governments through maritime partnership. The over-the-horizon perspective in the title is seemingly a spoiler in the literal sense; but there are reasons for inching it in. All these need a thorough overhauling of terminologies for clarity of perception with respect to the projected idea, else the perception can turn indistinct.

Coast Guard – an Armed Force in Water

There were 142 summarily identified armed forces that perform the functions of the coast guards in the world comprising 277 geostrategic entities, according to a

not-so-recent study.⁴ The world body on maritime shipping, the International Maritime Organization (IMO), has 174 members including three associate members (2015), out of which some are landlocked.⁵ The entities transform by the forces of micronisation or macronisation, mostly by the former in the present-day world that is weary of annexations by force.⁶ The process, even lawful, induces demographic stress and strain. International partnerships and supervision can reduce the associated human agony and hardship.

The geostrategic entities are either landlocked, coastal or islands.⁷ There are 48 landlocked entities⁸ but in the global scenario, every entity is ocean dependent.⁹ United Nations Convention on the Law of the Sea (UNCLOS) applies equally to all countries and the world ocean. Under this argument, the landmass of the world can be modeled as geostrategic islands in the ocean. This viewpoint is necessary to appreciate maritime partnerships. The coast guards of the world can contribute significantly towards their respective national objectives in this regard without serious tribulations, and it is therefore a question of national governance. The idea presented in this paper is to understand the need for geostrategic partnerships across the ocean divisions for the wellbeing of people, and the role the coast guards can play in it. To that extent, the absence of a coast guard could be a geostrategic handicap for a country, including some of the landlocked ones. The wider the micronisation, the narrower and more are the pieces for engagement in geostrategic partnerships. Hence, micronisation increases the demand for partnership regimes.

The coast guard is an armed force with a domain-specific operational character. The sea in the strategic and tactical context is a terrain where the game is played.¹⁰ The concept of terrain originates from land but is applicable to every deviated space occupied by strategic game plans, geographically or otherwise. It is their integration with respect to the land in the operational process that ultimately rings in the change.¹¹ Coast guards predominantly operate in oceans, but these also operate in inland seas and other partially or fully enclosed waters to meet specific requirements of a country. This leads to the finding that the coast guards are country-specific national armed forces that operate mostly over the oceans under specific charter. They have been assigned to the ocean for a long time, with the first coast guard formed in Sweden in 1638.¹² That was a decade before the establishment of the Westphalian order that the world still continues to follow as a model of dominion.

There are misgivings and a knowledge deficit in the appreciation of the coast guard as a maritime force. While some governments have been able to appreciate the importance

of coast guards, the character, structure and application of the operational matrix of the coast guards around the world differ significantly. Unlike the naval forces that have universal semblance in design and purpose, the coast guards are need based, limited and curtailed to the conceptual notions of the holder.¹³ The differences between the coast guards of the world are not based on national power projection as in the case of navies, but on the conceptual notions and demand.

The United States Coast Guard could be stated as the best operational coast guard in the world, and it is far ahead in every respect. The reason is embedded more in the national security policy of the government than the period that the coast guard has been in existence. The changes it has undergone since September 9, 2001, strengthen this point.¹⁴ In contrast, the Indian Coast Guard, barring some acquisitions and budget allocations, actually lost its appeal in operational freedom, and command and control, since the distressing terror attacks on November 26, 2008. The accountability of a force gets eroded under de facto supervision. The Indian Coast Guard is seemingly restricted in operations to the limits of the exclusive economic zone (EEZ) post the terror strike, unlike the US Coast Guard, in spite of an exemplary act giving it necessary operational freedom and unrestricted maneuverability, in the national interest. Restrictions under de facto supervision can limit the accountability of a force. This also means an act alone will not be sufficient unless followed by governmental insistence of accountability compliant to the act.

The US Coast Guard is still considered to be a model for other coast guards, including the Indian Coast Guard. But the design and purpose keeps changing according to the decisions of the government of the time. This can arrest the continuity of an armed force and stall its headway. Such changes do not occur in a navy unless there are economic reasons or a national policy to downsize the navy. The coast guards are entity specific, and the entity could be a nation, territory, union, worldwide authority or supranational authority. Being entity specific, the demand for the coast guard should have been increasing all over the world. But governments are unable to appreciate the deficit. The coast guards are tailor-made for the purpose of perceived necessity which vacillates under governmental decisions.

A coast guard is not a force designed for combat, and therefore it doesn't have to be de jure or de facto under a combat force like in some parts of the world. Such practice, where it exists, is not in order. It can damage the coast guard as well as its controlling military agency.¹⁵ A subordinate force, where necessary, can be created under the act of the controlling military armed force that could command and control it. Such forces

become paramilitary in usage. Coast guard is different: it has two purposes – law enforcement and services with entity-specific functions under constitutionally chartered duties in the national interest in the maritime domain including the coastal interface and inland navigable waters. This is also applicable to landlocked nations according to their geospecificity. The landlocked countries do not have any maritime claim except the rights specified under international law,¹⁶ and most of them do not exercise their rights in the ocean seriously.

The coast guard is not meant to hang out along the coast. The term is a misnomer, or rather an oxymoron. The coast guard is not a substitute for a combat military navy.¹⁷ Similarly, the combat navy should not attempt to be a coast guard or to control it. By doing so, the navy can blunt the cutting edge of its human element. This is an important aspect when considering the management of the human element in differentially focused operations – warfighting, law enforcement, humanitarian aspects, diplomacy and so on.¹⁸ It is not a question of compatibility, but of activity or performance inversion.¹⁹ The expectations from the human element in coast guards are serious in their own way under extreme conditions, but different from those of a combat naval force. The command and control and leadership patterns will be different from those of the navy. In addition, there are also constitutional demands within the political system. The two armed forces, therefore, are not comparable though they are highly compatible. It is often said that the coast guard is a cost-effective navy, which is a futile comparison. The coast guard has its own cost factor, and a cost-benefit analysis is vital prior to a nation's decision to have a coast guard.²⁰ The coast guard could be deployed in war-like situations like any other armed force of the government within its capabilities and designed purposes.²¹ However, this does not make it a combat service, and this has to be seen in the tactical initiatives during war. The United States has understood this statement and the results are clear and present. What a nation has to see is maximising the overall maritime operational effectiveness of the forces available to it in an integrated manner is in the national interest.

Functional Universality of Coast Guards

Though the coast guards may have different duties to perform in their respective national interests, there is universality in their functional characteristics. They function under the common principles of law enforcement and service in the maritime domain. Law enforcement also includes national obligations under various treaties. This

function may sometimes be declared as law and treaty enforcement by governments. The functions are based on the demand under national interests, which can vary not only among countries but also within the country with respect to changes in the policies of central and local governments. Since national interests can differ, the operational roles of the coast guard under the dual functions of law enforcement and service too can be at variance. This makes the coast guards operationally different from each other even though their functional profiles are similar. Law and treaty enforcement and services will be confined to the national designated and identified maritime zones of a country. This can extend to the whole of the ocean including the domain of global commons where national interests exist, under international understanding and acceptance. Some such zones are the space around a vessel or other platform of a country, or the notion of citizenship with respect to the crew or passengers aboard. There could also be fixed maritime zones such as a station in Antarctica or a seabed mining platform outside a country's designated maritime zones as defined in the internationally agreed laws.²² They too need to be taken as terrain-specific areas of operational engagement. The functions of the coast guard are all about protection of national interests, primarily in other-than-war situations in the maritime zones, which are not limited to those interpreted under constraint by authorities.²³ There could be differences among interpreters, though.

An example is the case of the killings of two Indian fishers in a boat off the Kerala coast of India on February 15, 2012, allegedly under mistaken identity. It is a one-of-a-kind case that is unlikely to be repeated. While the crux of the issues was never seriously discussed, one of the arguments that may matter, according to the author, is that the victims were Indians who fell dead on the deck of an Indian fishing boat,²⁴ and therefore it is a case of homicide of two Indian nationals.

The law enforcement charter of a coast guard may extend from a simple crime of theft on a vessel at sea to the protection of own or visiting forces at sea or in harbour, internal or overseas. An incident such as the USS *Cole* in Aden (October 12, 2000) should come under the purview of the coast guard for force protection. Force protection is a coast guard task under the law enforcement function. A certain level of maritime partnership with the host country is required here, even if the latter is deploying its own coast guard for the protection of the visiting vessel. The function of the coast guard may contain activities including everything that a country needs to be done at sea. From a simple ferry carrying ballot papers during the national elections,²⁵ it can include search and rescue, environmental protection, international ice

patrol and even clearing the snow-blocked channel with an icebreaker for movement of oil or coal to an upstream power plant.²⁶ The functions of the coast guard are humanitarian in outlook and character; they are not adversarial but may lose their acceptability once they become adversarial. Nevertheless, their acceptability can be strengthened by maritime partnership engagements.

Maritime Partnerships

Maritime partnership means friendly and receptive engagement and cooperation sans adversarial intent between nations through the medium of the ocean for common benefit. It is not an exclusively articulated charter of the coast guard but an implied functional activity in the conception of the force. The concept of the coast guard along with its functions, therefore, has to widen and envelop the ocean as a whole in the national and international interests. This is obvious from the principles of designated and variable maritime zones holding national interests, as mentioned earlier. Limiting the coast guards within the territorial sea, exclusive zone or any localised zone in the maritime domain is legally, technically and operationally imprudent and incompetent on the part of governments. They are armed forces in water dealing with the interests of the respective nations in law and treaty enforcement, and national and international services related to environment, life, property and so on. But they remain confined. The US Coast Guard is an exception and the Chinese Coast Guard is likely to be the next to come of age in extended operations.

Maritime partnership is not a function; instead, it is a way of action in executing functions. It is an amplified operational statement of the coast guards' mission statements in the extended realm of ocean utility. Barring some exceptions, the primary colour of the coast guard is white. It speaks of concern and an understanding of humanity that is achievable through partnerships. There are two observations here:

1. There is no specific mention of maritime partnership in the charter of a coast guard; and
2. The coast guard is not primarily aimed for combat.

The coast guards within this context have been involved in a variety of partnerships.

Types of Partnerships

Though the functional design of a coast guard is based on specific national interests, the force is projected internationally in a non-adversarial role. This has an over-the-horizon advantage for joint engagements. Some of them are listed as follows:

- Treaty partnerships, as in maritime search and rescue;
- Partnerships under memorandum of agreement or understanding;
- Partnerships for common cause such as countering human trafficking, migrant problems, piracy, resource denial to rogue organisations²⁷ and so on;
- Partnerships similar to NATO (North Atlantic Treaty Organisation) navies as exclusive to coast guards;
- Joint partnerships under an International Coast Guard Organisation (ICGO).

There could be more cooperation based on ideation by demand. What the coast guard needs in such cases is a kind of metamorphism, not isomorphism. Often, coast guards succumb to isomorphism of all kinds. Organisational metamorphism is vital for coast guards, and individual governments may be found wanting in this regard because of various limitations. An international regime for coast guard may overcome such barriers. This can be mandated under various concerns that have yet to catch the attention of international governments, such as:

1. Sea level rise and its impact on geoproperty rights; and
2. The inability of UNCLOS in handling the issues at sea.²⁸

IMO, on the other hand, is a global organisation for the management of the merchant marine. However, it cannot indulge in activities undertaken by a coast guard even though many coast guards handle or work with maritime shipping globally.

Over-the-Horizon Perspective

An over-the-horizon perspective in the context of the paper means developing the coast guards and extending their operations jointly without any functional change over the global commons. Coast guards of Japan, India, South Korea, etc., have been engaged, though in a very limited manner, in bridging maritime partnerships. The

perspective may encourage the coast guards as tools of international diplomacy, which is also an operational extension of the modern navies. But there are differences, as the navies are considered adversarial forces even in other-than-war situations in the international mindset. Maritime partnership is one of the prime roles of the navies in modern times as the navies are instruments of power projection in an unstable world. The coast guard can play the balancer in the geostrategic role. The world governments, though reluctantly, are getting accustomed to over-the-horizon rationality. The role of the coast guard is vital and diverse in maritime partnerships, and the exactness of this role can be established only after governments find the idea probable.

Interestingly, Somali pirates called themselves the coast guard: probably bitten by the original idea that didn't materialise in the absence of a working government in the country. They operated unlawfully with zeal and zest, reaping fat benefits of ransom. They had amazing reach with minimum infrastructure and operated at extreme ranges from the shore with rickety mother vessels and highly maneuverable skiffs, which will be an interesting study for "enforcement" at sea.

Coast Guards and Maritime Partnership

The existing appreciation of the coast guard in maritime partnerships can be enlarged if national policies of governance in relation to geostrategic security are relocated to include the coast guards as one of the instruments of diplomacy.²⁹ No serious change will be required in preparing for such a move at governmental levels, except a change in attitude. However, this change is required at the international level under United Nations initiative. An international regime for the coast guards will be required for defining the roles of coast guards in the oceanic global commons, similar to IMO for merchant marine or IHO (International Hydrographic Organisation) for hydrographic standards. Such an agency can guide the nations in the development of their coast guards and maritime partnerships against the common concerns in the ocean, with sufficient authority under international law for executing law and treaty enforcement as well as services. It will also prevent or preempt any intent of adversarial design in future that could invite serious consequences.

The natural stasis of the ocean is in its dynamics which is balanced by the forces of nature even when it is cyclical. The drivers may not be easily observable at the time of their occurrence, like the butterfly effect on weather. An example is sea level rise and inundation of low-lying areas that may create an unrivaled situation in demographic

and ethnic issues in an overcrowded world.³⁰ It will be a windfall for human smugglers and traffickers whose coffers are already brimming. The coast guards jointly can be a vital tool in handling such issues since the world needs to be prepared for that and more.

Conclusion

This paper is a subtle advisory for governments that are unable to appreciate ocean affairs, which is much larger than the oft-used term “maritime affairs”. The challenges of the new millennium are much more demanding, and the centre of gravity of global security, the extended form of national security, can shift regularly to the ocean. The landclasp syndrome can blind the decision makers. Although this statement is debatable, it can be taken as a chance hypothesis for verification. It is time the world regimes on international affairs see the ocean in holistic terms. The freedom of the ocean for unlawful activities and disaster engines is clear and present, and the international community will be a hapless victim of unlawful activities and calamitous situations at and from the sea. UNCLOS may be an amazing umbrella regime for oceanic equity, but is weak in dealing with the perils and the unlawful dimension of the sea. The governments have a lot to do in this regard. One such activity is partnering the world coast guards for non-adversarial maritime engagements supported by an international regime. The coast guards should come out of their sheltered niches as envoys of good will and protectors of life, property and environment, and should act as enforcers of law and treaties under universal understanding and accountability.

Notes

1. Prabhakaran Paleri, *Integrated Maritime Security: Governing the Ghost Protocol* (New Delhi: Vij Books India, 2014).
2. Tyler Rogoway, “Why China is Building The World’s Largest ‘Coast Guard’ Cutter,” <http://foxtrotalpha.jalopnik.com/why-china-is-building-the-worlds-largest-coast-guard-1677699141> (accessed August 2, 2015).
3. Ibid.
4. Prabhakaran Paleri, *Coast Guards of the World and Emerging Maritime Threats* (Tokyo: Ocean Policy Research Foundation, 2008).

5. IMO as a specialised United Nations agency deals with regulatory framework for maritime shipping.
6. Micronisation and macronisation are terms used by the author to explain the changes in the loci of national boundaries leading to shrinking or expansion of the land area, respectively, instead of disintegration or annexation which are considered blunt and inconsiderate in international relations. See Prabhakaran Paleri, *National Security: Imperatives and Challenges* (New Delhi: Tata McGraw-Hill, 2007). There are also induced alterations by governmental consensus or legal assertions. The land and maritime boundaries between India and Bangladesh changed recently under such inducement.
7. “Coastland” is a comparative term used by the author to explain a geostrategic entity that is neither landlocked nor an island. See Paleri, *Integrated Maritime Security*.
8. Paleri, *Integrated Maritime Security*. This study identifies 283 geostrategic entities (2014).
9. Ibid.
10. In this statement, a game is a strategic decision fixture as specified in game theory. It could be anything that leads to a competitive determinant towards decision making under strategic or tactical intent. Such games are played over a terrain. The domain becomes a terrain when a game is played over it. A terrain will witness manoeuvres towards the winning objective. See Paleri, *National Security*.
11. For more see Paleri, *Integrated Maritime Security*.
12. The Swedish Coast Guard (*Küstbewakning*) was formally established as part of Swedish Customs. Three hundred and fifty years later, on July 1, 1988, it became an independent civilian authority with a board supervised by the ministry of defence. Today it is a multicultural society requiring collective international initiatives and mandates. “The Swedish Coast Guard,” www.kustbevakningen.se/Documents/Media/Trycksaker/Kort%20om%20Kustbevakningen%20engelsk.pdf (accessed August 10, 2015).
13. This will be visible in an international fleet review where the coast guards, except for that of the host nation, are likely to be absent.
14. On September 11, 2001, the United States witnessed a series of coordinated attacks by the Al Qaeda. One of them was on the twin towers of the World Trade Center in Manhattan on the waterfront where the coast guard was accountable for security. Subsequently, the United States established the Department of Homeland Security (DHS). The coast guard along with other departments was placed under it for more effectiveness in homeland security matters.
15. Paleri, *Integrated Maritime Security*.
16. UNCLOS articles 12, 68, 70, 148, 152, 160, 161, 254, 266, 269, 272 and 274.

17. Prabhakaran Paleri, *Role of the Coast Guard in the Maritime Security of India*, 2nd edn (New Delhi: Knowledge World, 2007). In this context, the term “military” means an armed force meant for combat against lawful or unlawful combatants to safeguard the sovereign rights and integrity of a nation. Military is also used to denote the ground forces (army) in certain constitutions like those of India and Pakistan.
18. There are countries with navies that actually perform the role of a coast guard. Such forces are considered to be a coast guard in this paper. This also shows that most of the countries need coast guards more than they need combat navies. This can be seen in the national security framework of select countries (not specified here).
19. Activity or performance inversion, according to the author, is the decline in quality of output of a human in their chartered duties. One of the reasons for such inversion is the psychological detuning in the actual task by regular engagement in a dissimilar task. This concept is important in human investment management.
20. There are nations that find coast guards expensive.
21. Human casualty at sea would have been reduced if India had had a coast guard and deployed it effectively during the war of 1971. This is a hypothesis, not lucid in expression since “would have been” is negative in the research process. See Paleri, *National Security*. The idea is to drive home the importance of coast guard in war. Also see Robert Scheina, “The US Coast Guard at War,” http://www.uscg.mil/history/articles/h_CGatwar.asp (accessed 12 June 2015).
22. By those who ratified UNCLOS.
23. While war is an active term that could also be legally defined, peace is an abstract expression of a desired but strictly unachievable situation in human systems. Hence, there can only be two definable situations in a human system: war or other-than-war. See Paleri, *National Security*.
24. The case is awaiting decision at the International Tribunal for Law of the Sea (ITLOS), Hamburg (September 1, 2015).
25. The first operational role of the Indian Coast Guard was assisting the government electoral officials in Lakshadweep by ferrying ballot boxes in the general elections, 1977. See Paleri, *Role of the Coast Guard*.
26. David Montgomery, “Unlocking the Potomac for Pepco,” *Washington Post*, www.washingtonpost.com/archive/politics/1994/0124/unlocking-the-Potomac-for-pepco/cc603678-1f8c-4c33-8358-2054c0b63e81/ (accessed August 13, 2015). This was a daring operation in which a coast guard ice breaker was deployed on January 24, 1994, to clear way through the Arctic-like frozen Potomac river in the heart of Washington, DC, for oil tankers to the generating station of Pepco upstream. A tugboat pushed 60,000 barrels of oil in barges. It lit up 30,000 homes in the dark. Such tasks are unique to the coast guard.

27. An example of resource denial could be using coast guards to block the movements by sea of acetyl anhydride required for opium refining.
28. Prabhakaran Paleri, "Climate Change and Rising Sea Level: Need for an International Regime for Displaced People and Geoproperty Rights," (paper presented at Sir John Kotelawala National Defence University, Sri Lanka, August 22, 2014).
29. Geostrategic security is one of the 15 elements of national security identified by the author in a research study. See Paleri, *National Security*.
30. Tia Ghose, "NASA: Rising Sea Levels More Dangerous Than Thought," <http://www.msn.com/en-in/news/techandscience/nasa-rising-sea-levels-more-dangerous-than-thought/ar-BBm8iHj?li=AA9AP2o&ocid=mailsignoutmd> (accessed August 27, 2015).