UNIVERSITY OF THE WITWATERSRAND

RESEARCH REPORT

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TOPIC

EVALUATING A NEED FOR A COLLABORATIVE NATIONAL MARITIME SECURITY STRATEGY IN SOUTH AFRICA

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ABSTRACT

The world's sea transport is regulated by the International Maritime Organization (IMO). Through its regulatory framework, the IMO "prescribes responsibilities to governments, shipping companies, shipboard personnel, and port/port facility personnel to deter security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade" (IMO, 2016) as set out by its member states. While the IMO prescribes responsibilities, as contained in the regulatory framework, on preventative measures against security threats, it does not provide guidelines on how these preventive measures are supposed to be done. As a result, the responsibility on determining what preventative measures are to be undertaken remains with each member of the shipping community state to decide on the solution.

Like many IMO members, South Africa does not have a national maritime security strategy. Accordingly, a need for South Africa to develop its own national maritime security strategy over and above the regional maritime security strategy has been identified. Part of the argument for developing a national maritime security strategy is informed by the need to close the gap left by the absence of such a strategy in the national security framework of the country. Currently, South Africa's maritime security environment is fragmented with a number of stakeholders' such as the Department of Transport (DOT), Department of Home Affairs (DHA), South African Revenue Service (SARS), South African Police Service (SAPS), State Security Agency (SSA), South African Maritime Safety Authority (SAMSA), South African National Defence Force (SANDF), Transnet National Ports Authority (TNPA), Transnet Ports Terminal (TPT), Department of Environmental Affairs (DEA) and Department of Fisheries and Forestry (DAFF) constitutionally mandated with different maritime security mandates within the country's Exclusive Economic Zone (EEZ). There is, however, a consensus amongst all these stakeholders that some of the challenges existing within the South African maritime environment require a national maritime security strategy. Without a national maritime security strategy, views on South Africa's state of readiness to address maritime security challenges are split. Accordingly, a clear constitutional mandate appointing a lead department is necessary.

In addition to concluding that South Africa needs to develop a codified national security policy, this study further found that such a codified national security policy should aim at specifically addressing fragmentation in all national security areas and that such a codified national security policy must constitute specific modules reflective of each area of national security with clear directions on who takes the overall responsibility when it comes to control and command. In order to attain a comprehensive view, the research recommended further research on the pre-drafting process of the strategy and its implementation.

KEY WORDS: Maritime security, national security, maritime strategy, national security policy, and national maritime security strategy.

DECLARATION

I declare that this research report is my own work, it is the result of my own investigation, where assistance was needed it has been acknowledge accordingly. This research report is part of fulfilling the requirements of a degree of Master of Management in the field of Security with the University of Witwatersrand, Johannesburg. This report has not be submitted for any degree or examination before in any other University/Faculty/ School.

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Miss Gugu Precious Ndebele
Date: 07 August 2017

DEDICATION

This research work is dedicated to my mother, Thembisile Joyce Ndebele who raised us as a single parent working as a domestic worker, however she ensured that I pursue my studies to this date. I present this product to her as proof of my promise I made to her when I was nine years old, I promised to study and be successful and rise my family out of poverty. I further dedicate this research work to my two beautiful angels, Nandi Minenhle Ndebele (9yrs) and Nobuhle Bliss Ndebele (1yr). They are my inspiration that kept me working harder and harder, I am thankful for the abundance of love and joy they provided me throughout this period.

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To my academic supervisor, Prof Anthoni Van Nieuwkerk, for his incredible level of patience and guidance in the development of the research proposal. For his consistence in advising and supporting this work throughout the process and being honest about the quality of the work I produced in the report.

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TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF ACRONYMS

BMA	Border Management Authority
CMTP	Comprehensive Maritime Transport Policy
DHA	Department of Home Affairs
DOT	Department of Transport
DPME	Department of Planning Monitoring and Evaluation
EEZ	Exclusive Economic Zone
GDP	Gross Domestic Product
IMO	International Maritime Organisation
ICC	International Chamber of Commerce
ISS	Institute for Security Studies
ISPS	International Ship and Port Facility Security Code
JCPS	Justice, Crime Prevention and Security Cluster
LRIT	Long-Range Identification and Tracking of Ships
MARSEC	Maritime Security
MARPOL	International Convention for the Prevention of Pollution from Ships
MRCC	Maritime Rescue Coordination Centre
MSAC	Maritime Security Advisory Committee
NICOC	National Intelligence Coordinating Committee
NATJOINT	National Joint Operational and Intelligence Structure
P&I CLUB	Protection and Indemnity Insurance
SA Navy	South African Navy
SA	South Africa
SOLAS	International Convention for the Safety of Life at Sea
SAP	Strategic Arms Package
SADC	Southern African Development Community
SAMSA	South African Maritime Safety Authority
SARS	South African Revenue Service
SAPS	South African Police Service
SANDF	South African National Defence Force
SSA	State Security Agency
TNPA	Transnet National Ports Authority

UK	United Kingdom
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea

CHAPTER ONE: SETTING THE SCENE

INTRODUCTION

Maritime safety and security has been a matter of concern for maritime nations around the world due to the need for the protection of their national maritime interests. Not only does maritime safety and security a matter of concern to individual maritime nations, it is also a matter of collective concern to countries whose trade relationships are linked through sea transport. It is partly due to the collective concern for maritime safety and security that maritime nations have seen the need for a collective strategy on maritime security. According to the International Maritime Organization (IMO), the development of international regulations has "always" been perceived as "the best way of improving safety at sea" (IMO, 2017). While a number of bilateral treaties were adopted to address maritime safety and security across national boundaries, it was only after the formation of the United Nations that an international regulatory body, the Inter-Governmental Maritime Consultative Organization was founded as a unit of the United Nations (IMO, 2017). The name Inter-Governmental Maritime Consultative Organization was changed to the International Maritime Organization in 1982 (IMO, 2017).

The purpose of the International Maritime Organisation (IMO) is to promote safe, secure, environmentally sound, efficient and sustainable shipping through adoption of the highest practicable standards of maritime safety and security (IMO, 2017). IMO intend to accomplish these goals through cooperation with its member's states as stated in its Convention which came into operation in 1959 (IMO, 2017). In terms of Article 1 (a) of the IMO, the purposes of the Organisation are "to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships" (IMO, 2017, p. 1). Part B of the code states that it is the responsibility of government to develop a co-ordination maritime security mechanisms, such as a national maritime security framework/strategy.

Because of its focus on shipping engaged in international trade, the IMO has limitations when it comes to national maritime security issues. The IMO's International Ports Facilities and Security (ISPS) Code "prescribes responsibilities to governments, shipping companies, shipboard personnel, and port/port facility personnel to deter security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade (IMO, 2016)". The prescribed responsibilities of governments are intended to be carried out through the instrumentality of governmental regulation and practices but it is not specific about how such governments should implement their national maritime security agendas.

South Africa is a member of the IMO and therefore bound by the stipulations of the prescriptions. This study was intended to evaluate whether South Africa requires a national maritime security governance framework, in a form of a national maritime security strategy in

line with the ISPS Code. This document presents the outcome of the said study that was conducted in a South African environment, amongst identified relevant maritime security stakeholders. Specifically, the research was intended to answer the research question "To what extent is South Africa in need of a comprehensive national maritime security strategy?" The study further assessed the views, feelings and ideologies of its participants in relation to current challenges facing maritime security in South Africa. Suggested solutions and propositions to stakeholders have been made.

The researcher considered the defined maritime security, national security and maritime strategy in order to lay a foundation for understanding what the phenomenon constitute. Accordingly, the study evaluated current maritime security arrangement, roles and responsibilities of relevant maritime security stakeholders and their legal mandates taking into account the regional, continental and international implications as well as adherence to the IMO guidelines. It is intended that this study will foster further discussions on the phenomenon of maritime safety and security paying more attention to evaluating whether South Africa is ready and has the capability to respond to maritime security issues that might emerge within its territorial waters.

This report is divided into detailed chapters with each chapter providing a perspective and discussion about the study. The first chapter provides a background to the study by detailing the historic overview of maritime insecurity in South Africa.

BACKGROUND TO THE STUDY

The start of maritime insecurity in South Africa

The issue of maritime insecurity in South Africa dates back to the arrival of Jan Van Riebeek in the Cape of Good Hope in the year 1652 (South African History on line, 2016). Jan Van Riebeeck and his men identified the Cape of Good Hope as strategically well positioned for establishing a base station to supply ships with fresh fruits, vegetables, water and medication as well as being a vital point of maritime communication due to its geographic location which is halfway to the East (Potgieter & Grundlingh, 2007). However, with Jan Van Riebeek's initial intentions come maritime threats which gave birth to maritime insecurity. What is today known as human trafficking was in fact slavery and forced labour at the time. Sailors were abducting people along the route to work onboard ships as slaves. As slave trading was illegal in the Netherlands where Jan Van Riebeek came from, these sailors stopped at the Cape of Good Hope and sold their slaves on their last voyage en route to the Netherlands (South African History online, 2011).

In addition to introducing human trafficking, maritime insecurity also brought territorial wars and power struggle between the British and the Dutch through what is known in history as the Anglo-Dutch wars (South African History online, 2011). The strategic positioning of the Cape of Good Hope made it a sought after location by each foreign nation for its own benefit. The ensuing naval wars continued till late 1815 when different areas in Africa were colonised.

Historically the invasion by the British demonstrated none existence of maritime security in the Cape of Good Hope in those times. Given the lack of land-based resistance, the foreigners arrived in the country by sea with ease. The invaders used the land used by Khoikhoi and the San people to farm and they denied the Khoikhoi and the San the rights and title to the land (South African History online, 2011).

Protection of South Africa's maritime interest: Historical overview

The British settlers captured the Cape of Good Hope from the Dutch in 1795 through their naval power (Potgieter & Grundlingh, 2007). The capitulation of the Cape of Good Hope imposed a foreign naval power which eventually overtook the rest of the country leading to South Africa getting under the umbrella of the British rule for decades. It was only in the year 1922 that the South African Navy was created to replace British Royal Navy (Potgieter, 2004). According to Potgieter (2004), even though the British Royal Navy assisted South Africa to establish its own "South African Navy", Britain still maintained a strong presence in South Africa in order to protect its interests including the Cape Sea Route. It was in 1955 that the South African Navy took over Simons Town Naval Base from the British following the signing of "Simon's Town Agreement" (Potgieter, 2004). While the signing of the agreement accorded the South African Navy wider operational responsibilities, the Britain Royal Navy continued to enjoy the privilege of using the base and its facilities (Potgieter, 2004). This arrangement ended in June 1975 when the naval base came under the exclusive use of the South African Navy (Potgieter, 2004).

In 1990 the Marine Branch of the South African Navy was disbanded, the disbanding of the Marine Branch of the South African Navy resulted in the loss of South Africa's marine capability (Manganyi, 2012). With the disbanding of the Marine Branch of the South African Navy, South Africa also stopped the acquisition of new ships (Manganyi, 2012).

There is a major difference of approach to regional issues and international co-operation of apartheid South Africa and post-apartheid South Africa. Although South Africa was a founding member of the United Nations in 1945, the country was preventing from participating in the activities of the organisation due to international opposition to apartheid. Kok (2015) states that although apartheid era South Africa sought to destabilise its neighbours, post-apartheid South Africa subsequently became an important role player in peace and security development in Africa. Manganyi (2012) points out that shortly after South Africa's readmittance into the international community, the South African navy participated in regional peace-keeping missions. Walker (2015) suggests that it seems as if there is a surge of patriotism when it comes to the commitment of South African government in peace building missions.

In spite of its regional commitment, post-apartheid South Africa has always wanted to have a maritime capability but seem not to have had the political will to support and provide the necessary resources to sustain it (Manganyi, 2012). Internal political differences served as a hindrance for building a naval capability for South Africa. Through the Strategic Arms Package (SAP), commonly known as the "Arms Deal", a number of weapon systems, which included naval ships, submarines, helicopters and aircrafts were procured (Holden & van Vuuren, 2017).

Sylvester & Seegers (2008) suggest that this had largely drawn public controversy during the post-apartheid era. It was stated that the original price for SAP was R29.9 billion. This excluded finance charges, escalations and foreign exchange rates as the cost was to be paid over a period of time (Sylvester & Seegers, 2008). According to the calculations made by Sylvester & Seegers (2008), the total cost of SAP was standing at R90 billion in 2008. Newham (2013) suggests that the cost of SAP seem to make South African military leaders uncomfortable to talk about military acquisitions as this might resuscitate suspicions that some politicians may receive kickbacks from such acquisitions as had been alleged with the arms deal saga (Newham, 2013). Sylvester & Seegers, 2008) suggest that the controversy around the "Arms Deal" created the need for future policy decisions to be undertaken in an ethical manner to prevent another arms deal saga. Given the reluctance to equip South Africa's armed forces following the arms deal saga, it is unclear whether the South African navy has sufficient resources to protect the interests of the country.

The development of blue economy and maritime security

In terms of the United Nations Convention on the Law of the Sea (UNCLOS), (1982) the sovereignty of a coastal State extends beyond its land territory and internal waters. According to UNCLOS (1982), this territory extends to the air space over the territorial sea as well as to its bed and subsoil. Article 16 of UNCLOS (1982) further states that the Coastal State shall determine the allowable catch of the living resources in its waters. Article 55 of UNCLOS defines an Exclusive Economic Zone as "an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention (UNCLOS, 1982, p. 43).

It is against this background that South Africa took interest to exploit its Exclusive Economic Zone (EEZ) for the economic benefit of the country (Operation Phakisa, 2015). In 1994, the South African Maritime Zones Act (15 of 1994) was enacted to "provide for the maritime zones of the Republic; and to provide for matters connected therewith" (p. 3). The act makes provision for a detailed definition of South Africa's territorial waters. Despite the Act, it does not seem that South Africa had fully exploited the provisions of the Maritime Zones Act (15 of 1994). During his 2014 State of the Nation address in which he announced governments National Development Plan programme for unlocking the economic potential of South Africa's oceans, South Africa's President Zuma stated that South Africa had not yet exploited its geographic location, infrastructure and skills to accelerate growth. The President launched Operation Phakisa which had four pillars under its ocean economy. These pillars were aquaculture, offshore oil and gas, marine protection and governance and maritime transport and manufacturing (DPME, 2017). The government projected that South African waters had the potential to add growth of over US$14. 47 billion to its Gross Domestic Product (GDP) and close to one million additional jobs, up to approximately US$4.58 billion contribution to GDP and 316 000 jobs to be created (Jernberg, 2015). South Africa is ideally positioned to service the East-West cargo traffic and the booming economy of the African offshore oil gas industry (DPME, 2017).

Perception of current maritime security threats and incidents

The researcher further looked at different government maritime security stakeholders in order to understand their roles and responsibilities in protecting the country's territorial sea against maritime threats. A number of authours have defined what these threats, which Jernberg (2015) argues are transnational, are. The following authours extrapolate what the maritime threats are:

Table 1: Definitions of maritime threats

Author	Threats
Mokoena, (2013)	refers to maritime threats as human trafficking, illegal exploitation of maritime resources like illegal and unregulated fishing, environmental violations, terrorism…piracy;
Fouche, (2015)	talks about illegal fishing, people smuggling, arms smuggling, piracy, terrorism and drug trafficking;
Coelho, (2013)	who slightly proved a different perspective on possibilities of inter-state conflict, jeopardised economies and environment and public health;
Walker, (2015)	Piracy and armed robbery at sea, trafficking and smuggling of drugs, people and arms, as well as related money laundering" and
Potgieter, (2013)	who refers to "Maritime terrorism, fishing infringements, illegal smuggling, and trafficking (drugs, arms and humans)"

These threats are not country specific and therefore different threats may be applicable to different countries dependent on the dynamics of each country. In reference to the above, piracy and armed robbery have been identified by most writers as stated above. However, the International Maritime Bureau Report (2017) published by the International Chamber of Commerce (ICC) has recorded recent incidents of piracy and armed robbery that has occurred in the year 2017 from different countries (the below list is not conclusive) as tabulated below.

Table 2: Incidents of International Piracy and Armed Robbery

Country	Date	Ship type	Nature of incident
India	17 Feb 2017	Offshore support vessel	Two robbers boarded the vessel and stole ship's equipment and escaped.
Nigeria	08 Mar 2017	Bulk Carrier	Seven persons armed with guns approached the vessel and fired with guns, on noticing that the vessel increased speed
Singapore	05 Jan 2017	Chemical Tanker	A tanker underway was chased by a speed boat.
Philippines	05 Mar 2017	General Cargo	A skiff with around six person on-board chanced a vessel and the master raised speed and raised the alarm
Nigeria	05 Feb 2017	General Cargo	Armed pirates attacked and boarded the ship, kidnapped eight crew members and escaped.
Congo	09 Feb 2017	Supply vessel	Robbers stole ship's properties
Indonesia	23 Feb 2017	Offshore Tug	Five robbers armed with a knife boarded an anchored offshore tug

Source: The ICC International Maritime Bureau report, (2017)

The absence of South Africa's mention in this report raises a question of whether piracy and armed robbery of ships is a real threat to South African waters. Illegal fishing seems to be more of a threat in South Africa territorial waters. The Department of Agriculture, Forestry and Fisheries on the 12 May 2016 spotted nine vessels suspected of illegal fishing around Durban, Port Saint Johns and Cape Recife, all within South Africa's Exclusive Economic Zone (DAFF, 2016). According to the Department of Agriculture, Forestry and Fisheries, only one of the vessels was successfully escorted to the port of Saldana Bay for proper inspection. The other vessels escaped during the night (DAFF, 2016). While the report by the Department of Agriculture, Forestry and Fisheries indicates an existing threat of illegal fishing for South Africa, it is unclear how many illegal fishing vessels go undetected. It is equally unclear how many other threats go undetected due to lack of infrastructure to detect any crimes committed on the country's Exclusive Economic Zone. This suggests the need to define the country's maritime security threats in order to align any national security strategy.

South Africa is not only exposed to maritime security threats due to its geographic location, the country gets exposed due to the types of ships that visit South African ports and ports facilities. People travel from other countries in the continent to South Africa with the intention of stowing away from South African ports through international ships destined for America or Europe, exposing South Africa to threats associated with stowaways and trespassing. South Africa was reported to be amongst the top ten countries in Africa to have high stowaway incident by Protection and Indemnity Insurance (P&I Club) (IMO, 2013). It was also found that none of the stowaways reported being picked up by ships in South Africa where actual South African nationals. Accordingly stowaways are a realistic maritime security threat affecting South Africa.

There is no doubt that South Africa is a maritime nation with its own potentials and challenges, and that it has always been so. Historically maritime insecurity existed, economic potential also existed and maritime threat existed. However, South Africa has not clearly defined its maritime threats and its need for protection. The country moved from historical hindrance of maritime security to regional support and jumped straight to identification of the blue economy. Therefore, now seems an opportune time to determine South Africa's ability to protect its maritime interest. Hence, the paper is evaluating a need for a collaborative national maritime security strategy in South Africa.

PROBLEM STATEMENT

The International Maritime Organisation (IMO) provides guidelines to member states for developing their national maritime security strategies/frameworks in order to coordinate the activities of all their maritime security stakeholders in order deter security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade (IMO, 2012).

The current governance system of national maritime security in South Africa is fragmented with maritime security stakeholders working in isolation. In stating that "the security service of the Republic consist of a single defence force, a single police service and any intelligence service" (The Constitution of the Republic of South Africa, 1996, p. 21) seems to encourage the different security services of the country to work in isolation. The Constitution further states that "all spheres of government and all organs of state within each sphere must exercise their power and exercise the functions in the manner that does not encroach on the geographical, functional of the other" (The Constitution of the Republic of South Africa, 1996, p. 21). Accordingly, this makes it difficult for these stakeholders to work together on a common objective, jointly supporting and collaborating with each other and sharing resources. Therefore, scarce resources are not maximised because each stakeholder is responsible for their own resources and have different national priorities and no jurisdiction over the other. What this suggests is that the Department of Transport as the regulating body for national maritime security issues, cannot command the South African Navy or South African Police Service to prioritise issues pertaining to commercial shipping security threats.

PURPOSE STATEMENT

The purpose of this study was to evaluate the extent to which South Africa requires a national maritime security strategy, and how such a strategy should be developed. The study seeks to understand the current maritime security arrangement in terms of the roles and responsibilities of maritime security stakeholders and their challenges. The insight that will emerge from this study will contribute to discussions amongst the relevant maritime security stakeholders on the possibility of establishing a national maritime security strategy and whether such a strategy is required or not, and which system of governance should be applied under which ministry.

RESEARCH QUESTIONS

The study examines whether and to what extent South Africa needs a national maritime security strategy to govern the maritime security domain. The study attempts to find answers to the following questions:

Main Research Question

a.   To what extent is South Africa in need of a comprehensive national maritime security strategy?

Sub-Research Questions

a.   How is the current South African maritime security arrangement and what are its challenges?

b.   How should the South African national maritime security strategy be governed?

SIGNIFICANCE OF THE STUDY

The phenomena of maritime security is not a new field of study and has been researched quite widely. Examples of studies conducted include Coelho, (2013) "Southern African maritime security: Problems and prospects"; Baker, (2012) "The South African navy African maritime security"; and Potgieter, (2013) "Regional Leadership and Maritime security. However, a study specific to the co-operative coordination arrangement on national maritime security strategy is proposed as another phenomenon in South Africa due to the absence of an existing South African national maritime security strategy. Given the current initiative by the President of the country on Operation Phakisa which intends to unlock the economic potential of South Africa's oceans, the findings of this study might serve as a 'sounding board' for this initiative. The report will suggest best practise and identify further research work that needs to be conducted in this regard.

OUTLINE OF CHAPTERS

This research report is divided into various chapters outlining the flow of the report from start to end. ***Chapter one*** begins by providing an introduction to the study, details the background to the study, the problem and purpose statement, the research question and limitation of the study.

Chapter two present literature reviewed in the study, the chapter documented the formation of the conceptual framework and the research gap identified. The chapter reviewed literature on maritime security and various discussions on the phenomenon. These findings are presented in Chapter four of this report which explores the current maritime security arrangement and

conducts a comparative discussion of other national maritime security strategies from other countries.

Chapter three provides the research methodology which details the research approach and design, data collection, data analyses and data presentation. The process was used to arrive at the findings set in the report and also advices on the instruments used by the researcher in order to ascertain reliability and validity of the findings.

Chapter four of the study presents the research findings. The said chapter presents data collected through interviews with different maritime security stakeholders. Structured interviews were conducted with identified participant.

Chapter five provide the research findings and analyses, the said chapter seeks to justify the voice of the researcher, the voice of interviews and the voice of literature.

The final chapter (*Chapter six)*, puts together the discussion of the report into a summary and recommendation. The chapter details the knowledge gap and propose future research areas for consideration and topics for future research.

CHAPTER TWO: LITERATURE REVIEW

INTRODUCTION

The literature review process evaluated the currently debates on the phenomenon, how the phenomenon is defined, the views of writers and what is defined as current challenges. The purpose of the literature review was to assess current discussions on whether South Africa requires a national maritime security strategy.

Coelho, (2014) argues that the argument on maritime security is not very clear due to the fact that it is not possible to demarcate boundaries at sea, state. He refers to the sea as stranger than land and that until the 17th century, many countries had attempted to demarcate boundaries at sea without success when a declaration was made that the sea should be used by all. "Hence, the perspective, which exist today, of the sea as a common space that everyone could benefit from" stated Coelho, (2014, p. 124).

The said scenario motivated this research which was aimed at evaluating South Africa's position in the maritime environment focusing on the protection of the country against any threats that may emanate from the sea. To begin the study, a conceptual evaluation on maritime security was conducted.

DEFINITION OF TERMINOLOGIES

The formulation of the concept national maritime security strategy can be fragmented into pieces in order to gain meaning to individual terminologies. These terminologies are "national", "maritime", "security" and "strategy". However, for the purpose of the study, these terminologies were matched into two's. As such three concepts were selected as, maritime security, national security and maritime strategy. These three concepts when combined formulate "national maritime security strategy". The illustration below demonstrates the said formation.
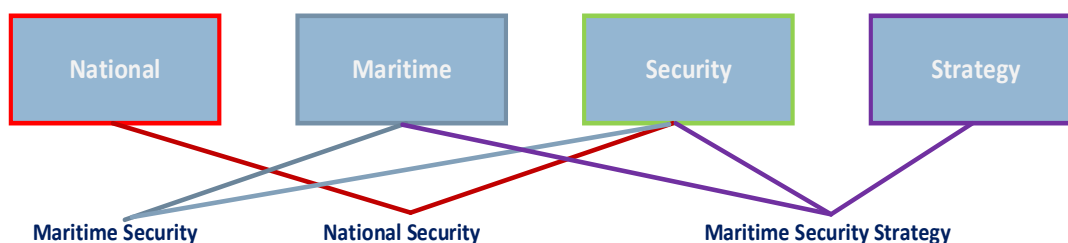

Figure 1: Illustration of a national maritime security strategy formulation

What is security?

This study is conducted under the philosophy of security and maritime. As security is central to this research, it is therefore to define the term security. Hutchful, (2008) argues that to appropriately define security, it is necessary to understand who or what is to be protected? Who is the protector? What do we seek protection from and at what cost? Who defines what is constituted as a security threat? Hutchful's (2008) argument suggests that defining the term security will require more than just scholarly definition but situation analyses is also required in order to get an appropriately contextualised definition.

Balwin, (1999) seems to agree with Hutchful's (2008) and elaborates more by stating that the following questions are need to be answered in order to define security appropriately.

o *Security for whom?* This question requires that the writer specifies the referent object that needs security protection. This could be stated at individual or individuals, state or states and international. The choice will depend on the research question that needs to be addressed;
o *Security for which value?* The inclusion of a subjective and objective dimension of value is required as failure to include value might result in confusion. The stated dimension of value might be physical, economic welfare, economic relations and so forth;
o *How much security?* The degree of protection needs to be specified to determine how much is enough security. In the competition of objectives for scarce resources, such a degree must be defined;
o *For what threat?* Speciality and profession become relevant in defining the exact threat the system needs to be directed to;
o *By what means?* Reference is made to instruments such a policy, legal framework and other resources that might be needed to achieve the objective;
o *At what cost?* Specification of the financial implication is important due to competition for scarce resources; and
o *In what time period?* A stipulation in terms of the long-term and short-term objectives.

Hermann (2005) is of the view that security is "the protective condition which statesmen either try to acquire, or perceive, in order to guard the various components of their polities form both external and internal threats" (p. 19). The definition does not clearly indicate what security is. It refers to a "condition" but is not specific about what condition.

What is maritime security?

Garcia, (2014) refers to the term "maritime" as an adjective that refers to the sea. The word (maritime) is used to modify a noun in order to give meaning. As such the word "maritime" is used in different ways including maritime environment, maritime safety, marine pollution or maritime policy. "Maritime" also refers to activities happening at sea, such as seaborne trade

(Wikipedia, 2016). Accordingly, the term "maritime" does not possess any specific meaning without a noun added to it to give a complete meaning. Perhaps joining the concept security within the term maritime will provide a clear distinct meaning to the phenomenon.

This study reviewed literature on the definition of maritime security. Feldt et al., 2013) note that the concept of maritime security has no universal legal or agreed definition due to the fact that the topic is broad, covering many policy aspects. Accordingly, there was no consensus on the definition of "maritime security" which is abbreviated as MARSEC. Bueger (2015) suggests that maritime security is perceived as the latest "buzzword" as its power emanates from a vague euphemistic quality and ability to embrace a multitude of possible meanings. Bueger (2015) further argues that the multiplicity of meanings associated with maritime security is also a function of the context in which different writers discuss the concept. Accordingly, its meaning varies across its actors (Bueger, 2015). Maritime security is said to be a responsibility of government although it does not have a clear definition when it comes to maritime security operations. Feldt et al. (2013) note that the authority to act on behalf of the state is said to be a sovereign prerogative.

Bueger (2015) suggests that some writers associate the issue of maritime security with four security matrices; marine environment; national security; human security; and economic development. Thisapproach appears to be followed by a number of writers such as the United Kingdom (2014), which defines the concept of maritime security as "the advancement and protection of the UK's national interest at home and abroad, through the active management of risks and opportunities in and from the maritime domain, in order to strengthen and extend the UK's prosperity, security and resilience to help and shape the world". The national interest they refer to could be related to the marine environment or economic development or both. This definition provides a broad view of the maritime security. Accordingly, the definition continues to provide no clear demarcation of the environment in the definition. Referring to the French (2015) definition in its National Maritime Security Strategy, that maritime security is the prevention and fighting off all international activities which are hostile to their interest, McGowan et al., (2006) suggest that this definition demonstrates the theory of realism which reflects that "states are selfish actors who always seek to maximise their own interest, even at the cost of risking the benefits that more than one state can share".

The literature on the definition of maritime security concludes that there is no consensus on the definition of the concept maritime security. In general, it is defined as a combination of preventive and responsive measures aimed at both law enforcement as well as civilian military requirements (Sarkesien et al., 2008). The argument by Sarkesien et al. (2008) harmonises the understanding that the concept of security or maritime security requires a contextualised situational analysis in order to get a more uniform definition. In addition to defining security, it is equally important to get more clarity on what is meant by national security of a state.

What is national security?

Although national security interest may vary from country to country, in many countries, the responsibility for national security is constitutionally mandated to the military and the law enforcement apparatus of the state. Sarkesien et al. (2008) refers to two dimensions that might be reflective in the national security definition that is the physical and psychological security measures. Physical security referring to the military capacity to successfully protect the state against any external threats, and psychologically reflecting opinion and attitude of its citizens, people's willingness to support government efforts to achieve national security (Sarkesien et al. (2008). Sarkesien et al. (2008) further point out that these debates may vary depending on the nature and the size of the gap between policy definition and strategy. Edmonds (1988) adds that these debates might be related to the historical definition of the military, the reflection of violence or physical coercion by states, society or a group against another to achieve its desired objective. Garcia (2004) suggests that it is important to acknowledge the interdependency of the military, environment, economic, social and political issues when defining national security.

What is a maritime strategy?

Hattendorf (2013) defines maritime strategy as "the direction of all aspects of national power that relates to a nation's interests at sea". It is, however, important to point out that in a case of landlocked countries; maritime security might not be a national priority even though such countries may conduct maritime trade with neighbouring states. Hattendorf's (2013) begins his argument by stating that the definition of a maritime strategy has its own complexity and that there are no absolute dicta on the definition. According to Hattendorf (2013), such complexities could be related to the fact that the definitions were made during different times, different outlooks, different problems, different mind-sets, different capabilities, different decision-making and different technologies. Talyer (2008) points out that, historically, the focus of maritime strategy was to control the sea, what was referred to as "sea power". However, the new maritime strategies recognise that when it is safe and free for all, the economic benefits of the sea benefit all nations.

The Maritime strategy is a process that brings means and ends together and knowing how to act and with what resources to use in order to achieve policy goals. Maritime strategy also looks at the overall plan of guarding the overall maritime environment including the economic interests of the state. Garcia (2014) indicates that the phenomenon of globalisation has resulted in the inability of one state to control the sea. Accordingly, the twentieth-century style of national security strategies aims to concentrate a wide range of policy-making. Accordingly, the maritime strategy should device operational plans that are consistent with the legitimate ends of a political community (Garcia, 2014). Snider (1995) suggests allocating joint resources in creating both long- term and short- term instruments. Snider (1995) adds that the "art of devising and articulating strategy are that of combining the various elements of power and

relating them to the desired end". It is of importance for the study to define the application of the concepts in the study, the above-mentioned definitions suggests that "security" and "maritime" cannot be meaningfully defined in isolation. A situational analyses is required to get context-specific meaning of maritime security. However, a South African situational definition of maritime security strategy is important for this research, hence the research will discuss South African situational analysis.

INTERNATIONAL OBLIGATIONS OF THE STATE

The world's sea transportation is regulated through the International Maritime Organisation (IMO) which gets its mandate from its member states to ensure an international regulatory framework that is applicable to all shipping communities. The International Maritime Organisation (IMO) was established by the United Nation's international conference held in Geneva in 1948 and entered into force in 1958 (IMO, 2016). The main mandate of the organisation is to promote and support "safe, secure, environmentally sound, efficient and sustainable shipping through cooperation" (IMO, 2016). This objective is achieved through the adoption of practical standards of maritime safety and security (IMO, 2016). The IMO has adopted the International Convention for Safety of Life at Sea (SOLAS), which was hailed as the most important treaty of the IMO (IMO, 2016). The purpose of SOLAS (1974) is to "ensure that ships flagged by member states comply with minimum safety standards in construction, equipment and operations" (SOLAS, 1974).

The IMO (2016) indicates that the 1985 hijacking of the Italian cruise ship *Achille Lauro* marked one of the first significant acts of maritime terrorism. In response to this, the IMO adopted a Convention on the Suppression of Unlawful Acts against the Safety of Maritime navigation (SUA) in 1988. The convention provides a legal framework for actions to be taken against persons committing unlawful acts against ships (IMO, 2016). In 2004 Chapter XI-2 of the IMO's SOLAS convention was amended to capture the implementation of the International Ship and Port Facility Security (ISPS) Code (IMO, 2012). The ISPS Code *prescribes responsibilities to governments, shipping companies, shipboard personnel, and port/port facility personnel to deter security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade* (IMO, 2016). The objectives of the ISPS Code include the *establishment of an international framework that fosters cooperation between Contracting Government agencies, local administrations and the shipping and port industries, in assessing and detecting potential security threats to ships or port facilities used for international trade, so as to implement preventative security measures against such threats (IMO, 2012).*

The work of the IMO continued over the years and the organisation continued providing guidelines and support to its members stated, most particularly anti-piracy and armed robberies of ships, best management practices and recently carriage of arms on board ship (IMO, 2016). Other initiatives includes cyber security, counter-terrorism, stowaways, drugs smuggling and capacity building (IMO, 2016). South Africa became a member state (contracting governments) of the IMO in 1995 forming part of the 172 member countries. These countries

agreed to cooperate through governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade (IMO, 2016). South Africa as a contracting Government of the IMO was required to designate a national contact point for international maritime obligations. South Africa designated the Department of Transport (DOT) as the "Designated Authority". This meant that DOT was mandated with ensuring that the work of the IMO was ratified nationally and that legal binding treaties were implemented. Nationally, the DoT is tasked with a mandate of ensuring that South Africa becomes compliant with all legal binding agreements, which includes security of the sea. The challenge becomes whether DoT has power of authority to other state departments. Is internal resources available to assist the department to deliver on this mandate? The current South African legislation (Merchant Shipping Act 57 of 1951) is very old, the act was enacted in 1951 making it older than most IMO treaties.

The influence of the Great Power

International structures and obligations have a direct influence on national maritime security policy formulation and strategies. The application of these laws can never be one size fits all, particularly in the African continent. It is essential that states define their own maritime domain in line with UNCLOS, whether such a move will benefit African states or not, it still remains their responsibility to define their own interests. South Africa has defined and claimed its maritime zone, as discussed in this report, however, the definition was influenced by the country's geographic location and in line with the international legal framework. The international law regulates the sea, on the other hand, take rights of the states to affect their own national laws in their territorial waters. UNCLOS states that territorial waters of states remain under the sovereignty of those particular states. However, foreign ships have a right of innocent passage to navigate through (Gibson, 2009). The law of the sea "UNCLOS" provides a way for states to enforce national legislations which might affect foreign ships for the purpose of safety, environmental protection, customs and immigration control. The law of the sea "UNCLOS", however, has limitations when it comes to enforcement of criminal laws against foreign ships in a coastal state. The territorial waters of a coastal state remains under sovereignty of that particular states, that national laws of the coastal state takes precedence in application of criminal activities, argues Gibson. His argument suggests that national legal framework of a states has international law connotations that might affect national law structure and enforcement.

Region/Continental dimension

The regional maritime security gives another dimension that might provide complexity to the South African situation. Due to its geographic location, South Africa's coastal border starts from Namibia on the South Atlantic Ocean stretching all the way to Mozambique on the South Indian Ocean (Venter, 2015). South African waters connect shipping routes from the North Indian Ocean and North Atlantic Ocean, making the country one of the key important member states in the region. According to the United Nations Convention on the Law of the Sea, states are compelled to fully cooperate in repressing piracy and illicit trafficking of drugs (Lautier,

2013). As a Southern African Development Community (SADC) member state, South Africa is supposed to share intelligence information and cooperate with other SADC members in countering security threats within the SADC region (Lautier, 2013).

Furthermore, in August 2011, SADC adopted a Maritime Security Strategy for the purpose of forming a joint operation in an attempt to eradicate acts of piracy along the sea and lakes in the SADC region (Coelho, 2013). The strategy does not indicate how it will ensure a minimum participation of the landlocked countries that require trade via the sea based countries (Royeppen, 2016). Royeppen & Kornegy, (2015) recommends that there is a need to interrogate the role of the landlocked states and the development of cooperation. The strategy is of more benefit to Tanzania and Mozambique whose strategy design and implementation is paid for by South Africa (Coelho, 2013).

In view of the historical colonial legacy, governments were channelled towards focusing resources towards the landside and neglect the sea, as such countries of the SADC region have limited naval capabilities (Louw-Vaudran, 2014). Because of this, South Africa opted to lead the maritime security operations until such time that other countries are able to build their own naval capacities (Louw-Vaudran, 2014).

These regional cooperation mechanisms present a profound challenge for the region. Firstly the lack of domestic laws in many African states to successfully prosecute criminal activities at sea (Fouche, 2014). Secondly, a lack of adequate training for the navies to deal with civilian crime scenes in a manner that will be admissible in a court of law in order to ensure successful prosecution (Fouche, 2014). Thirdly, poor governance seems to be another major issue as stated by Roelofse (2014). South Africa's involvement in the SADC agenda might seem beneficial to the foreign policy obligation; however, it is not clear whether South Africa can afford to prioritise foreign policy over national obligations on maritime security issues.

THE PERSPECTIVE OF NATIONAL MARITIME SECURITY STRATEGIES

Definitions of terminologies as discussed in the above chapter where inter-relations exist between national security strategy and maritime security strategy. It was deemed necessary to review maritime security strategies from other countries and compare such approaches and relations. In a stalk entitled "why have a national security strategy", Malaquias (2017) referred to the process as a clear break from the past security regime allowing the formulation of new ways for national security. Malaquias (2017) further states that there are many reasons to motivate the process of developing the maritime security strategy, and referred to internal self-assessment of a country, a need for a political vision and qualitative approach. Based on his argument, the research considered three strategies from the United Kingdom, Spain and India, developed between 2013, 2014 and 2015. The said strategies where evaluated for the purpose of understanding what system of governance was applied.

Indian Maritime Security Strategy

The Indian maritime security strategy was published in 2015 under the Naval Strategic Publication. The 103 page strategy document, which was compiled and issued by the Chief of Navy, details guidelines for India's growth, development and deployment of the navy. The strategy document also mentions the utilisation and potential of increasing maritime cooperation and coordination across India's multi-agencies and captured primary and secondary national priority areas and distinguished what is considered non-traditional and traditional threats.

Non-traditional maritime security threats are identified as *maritime terrorism* which might target industrial centres, ports, ships, tourist centres, iconic structure, offshore oil production and nuclear power plants. This is said to be the newest threat expanding from land to sea and impacting maritime nations. Traditional threats are said to be historical in the India waters and are comprised of *unregulated activities at sea* as well as what is considered to be the oldest threats. The unregulated activities at sea are categorised as trafficking, smuggling, illegal fishing, proliferation of arms, etc. while *piracy and armed robbery at sea* are said to be the oldest maritime security threats. *Piracy and armed robbery at sea* is said to target maritime trade which in return affect the economic development of India. When referring to the area of interest which has direct effect to India, this document identified countries affecting India's national maritime security as Somalia and Gulf of Aden. Below is the map reflecting the area that was affected by piracy between 2005 to 2010. The strategy does not only list the threats but also identifies what a particular threat will constitute to India.
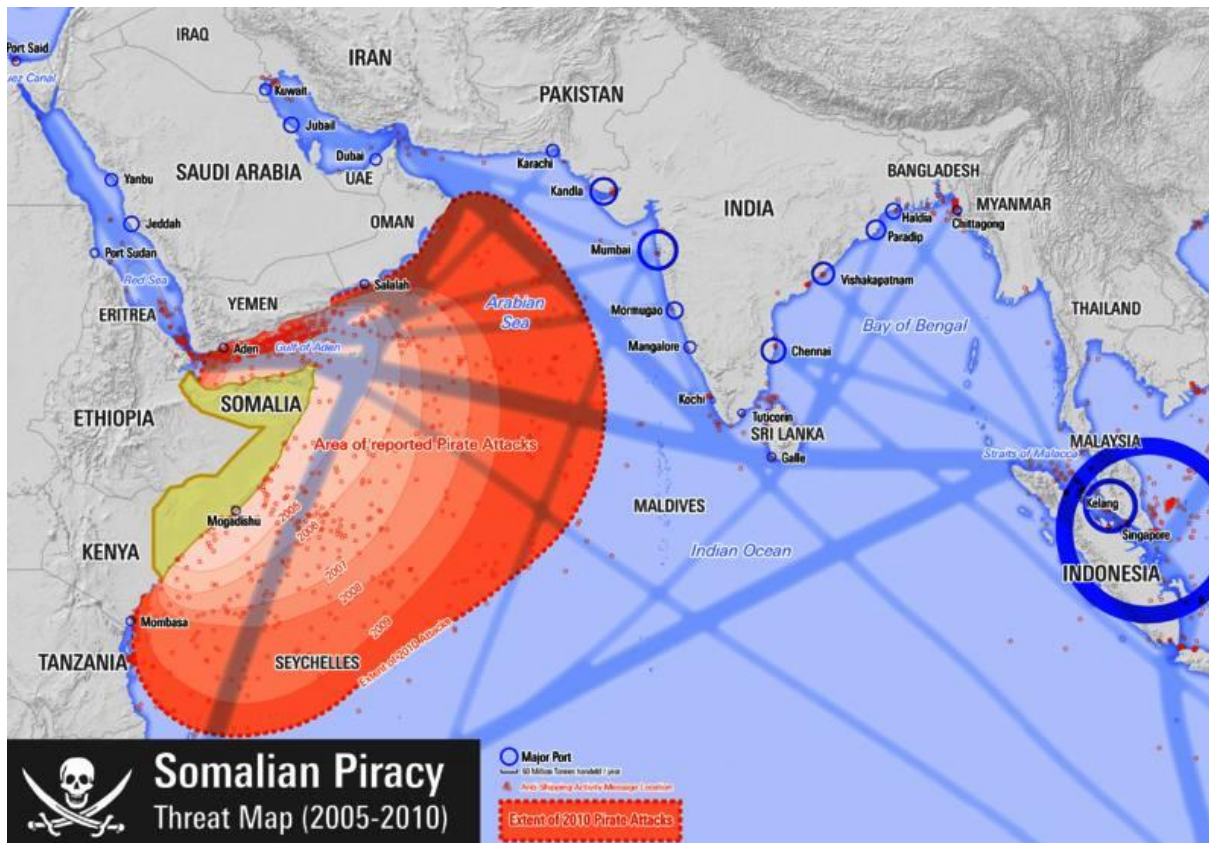
Figure 2: Map reflecting piracy threats to India

Source: The Indian Ocean

In order to ensure a holistic approach, the strategy is divided into chapters such as strategy for deterrence, strategy for conflict, strategy for shipping and environment, strategy for coastal and offshore and strategy for maritime force and capability each of which focuses on a specific area. In essence, therefore, the Indian Maritime Security Strategy assumes an all-encompassing approach into maritime security. In addition, the maritime economic growth of India is reflected into the strategy, providing clear guidelines to the implementers of India's national maritime security interests. This has resulted in the growth of crude oil imports for 2014-2015 and growth of Indian shipping (Indian Maritime Security Strategy, 2015).

Spain national maritime security strategy framework

Spain National Maritime Security Strategy (2013) is administered under the leadership of the Prime Minister and fully managed under the country's national security systems. The strategy takes cognisance of the United Nations Convention on the Law of the Sea (1982) and other international conventions as a baseline for their legal framework. The structure of the strategy makes provision for the governance of the national maritime security strategy under the National Security Policy and is structured in such a manner that it harmonises operational processes from all state actors and resources from the public and private sectors as well as society in general. Stakeholders include ship operators, shipping companies, maritime transport and fisheries.

Emphasis is made on drafting protocols for joint operations amongst role players, a collaboration of existing resources from all parties, such as facilities, vessels, aircraft, education and training. Future centralised procurement of assets will be managed centrally through a comprehensive information system. The said strategy provides a brought view of how the national maritime security strategy is formulated, governed and managed. While recognising its national interests, Spain recognises its responsibility towards its neighbouring countries and the importance of maintaining a sound relationship.

The country votes to continue promoting bilateral and multilateral agreements in the promotion of maritime security within its zone. The strategy document defines its maritime security threats and risks as illicit trafficking, piracy, acts against underwater cultural heritage, proliferation of arms and ammunition[1], irregular immigration and illicit trafficking of immigrants, cyber threats, maritime accidents, terrorism, natural disasters and illegal exploitation of maritime resources.

United Kingdom National Maritime Strategy

The United Kingdom's National Maritime Strategy (2014) has a number of pillars which include:
- U*nderstanding* the strategy and the maritime domain in order to identify threats and opportunities;
- I*nfluence* by participating in the international maritime security engagements;
- P*revent*ing threats from the course by supporting capacity building to neighbouring countries, protection against existing threats; and
- *Responding* through policing and prosecution.

The United Kingdom's approach is based on two concepts, "integration" and "collaboration". Integration brings together 16 government departments whose roles and responsibilities are outlined in the strategy while ensuring that the strategy remains within the National Security Strategy framework. Provision is also made for collaboration at national, regional and multinational level. Governance of the strategy is located at the ministerial level and includes senior officials from different government departments chaired by the Department of Transport. The National Security Council is engaged when necessary. These officials report directly to the ministerial working group which provides an oversight of the national maritime security and co-ordinates and drives the strategy forward. The figure below portrays the governance organogram structure for the strategy:

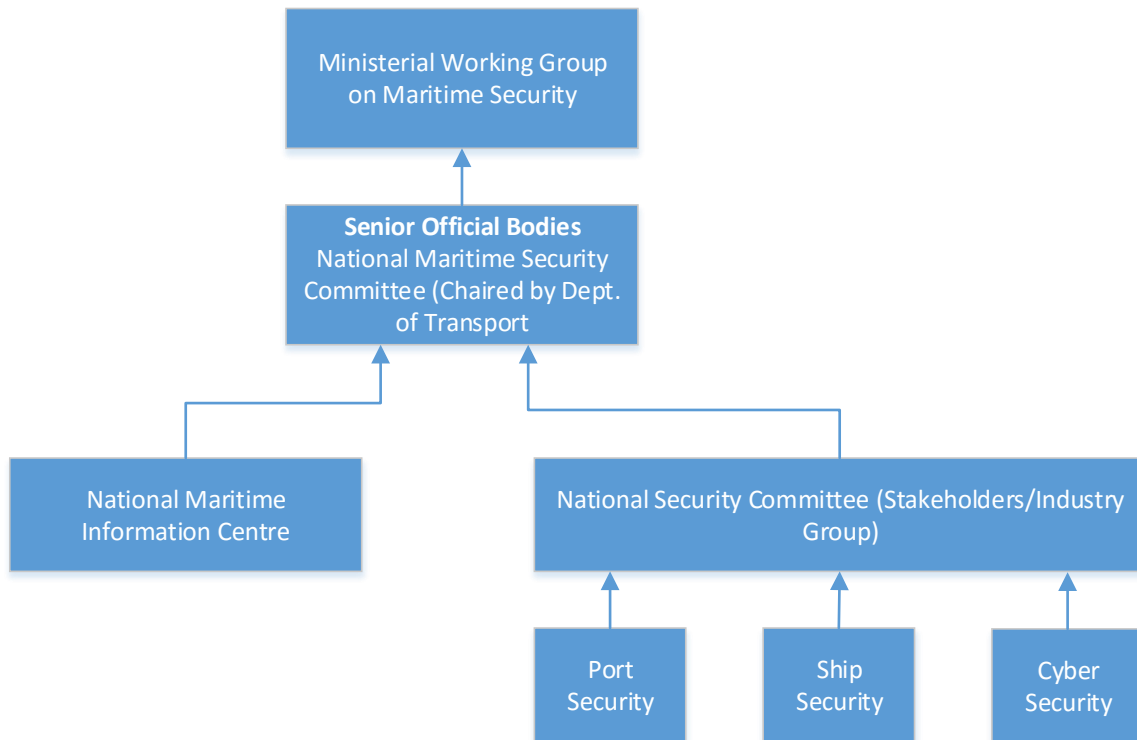[1] Proliferation of arms: a rapid increase in the number illegal arms

Figure 3: Illustration of the UK's Maritime Security Governance Structure

Source: UK National Strategy for Maritime Security

The strategy also defines the UK's maritime zones in detail. These zones cover The United Kingdom's baseline, internal waters, territorial sea, contiguous zone, exclusive economic zone, continental shelves and the high seas. The strategy also talks to an establishment of a National Maritime Information Centre which collects maritime security related data from different state departments and their agencies. The centre provides real-time data needed to support maritime security operational requirements.

The section discussed the different perspectives of national maritime security strategy, arguing that there are a number of aspects that need to be considered when developing a national maritime security strategy. There is consensus amongst writers that there is no single or universal definition for maritime security and that authors define the concept according to the environment at the time of writing. The section further discussed the difference between maritime security, national security and maritime strategy. The three concepts give a different perspective of the area being discussed, national security being the overall security of the country, while maritime security looks at the maritime environment with maritime strategy concerned with planning. Having discussed these concepts, attempts were made to understand what a national maritime security strategy is and what constitute it.

The samples from Spain, India and the UK indicated that the two strategies were driven from a high level of government. Their maritime security definition covers the area beyond their country which is the neighbouring countries. The discussion on the three strategies clearly

concurs with the argument that in order to have a national maritime security strategy a clearly customised definition of the strategy which will define the size, the nature of resources required and type of threat to be protected is required.

When developing a national maritime security strategy, these countries demonstrated different approaches in the leadership of their strategy processes. Spain governs the strategy under the leadership if it's Prime Minister while the United Kingdom elevated the process to Cabinet and empowered the Department of Transport with authority to lead and Chair maritime security meetings. When consideration was given to the Indian national maritime security strategy, on the other hand, leadership and governance was solely allocated to the Secretary of defence. This analysis demonstrates that this process remains a sovereign agenda and that governments need to take a specific role in the development of a national maritime security strategy.

SOUTH AFRICA'S MARITIME SECURITY ENVIRONMENT

The research topic evaluates a need for a collaborative South African national maritime security strategy. On this topic the research reflects on the current South African maritime environment. The first aspect describe the sea space referred to as South Africa's territorial waters.

South Africa's territorial waters within the sea

According to the United Nations Convention on the Law of the Sea (UNCLOS) (1982), the sea is divided into networks of maritime zones in which States have different powers and duties towards their territorial waters (Gibson, 2009, p. 61). South Africa has defined its maritime zone as contained in the Maritime Zone Act (15 of 1994) which provides for a detailed definition of the maritime zone. The act refers to:

- The *baseline* as the low water line joining the ground;
- *internal waters* as all waters landwards of the baseline and all the harbours;
- *territorial waters* as the sea within twelve nautical miles from the baseline;
- *contiguous zone as* the sea beyond territorial waters but with a distance of twenty-four nautical miles from the baseline;
- *maritime culture zone* as the sea beyond territorial waters but with a distance of twenty-four nautical miles from the baseline;
- *exclusive economic zone (EEZ)* as the sea beyond territorial waters but with a distance of two hundred nautical miles from the baseline; and the
- *continental shelf* as defined by the United National Convention on the Law of the Sea (1982). The Figure below illustrates South Africa's maritime zone.
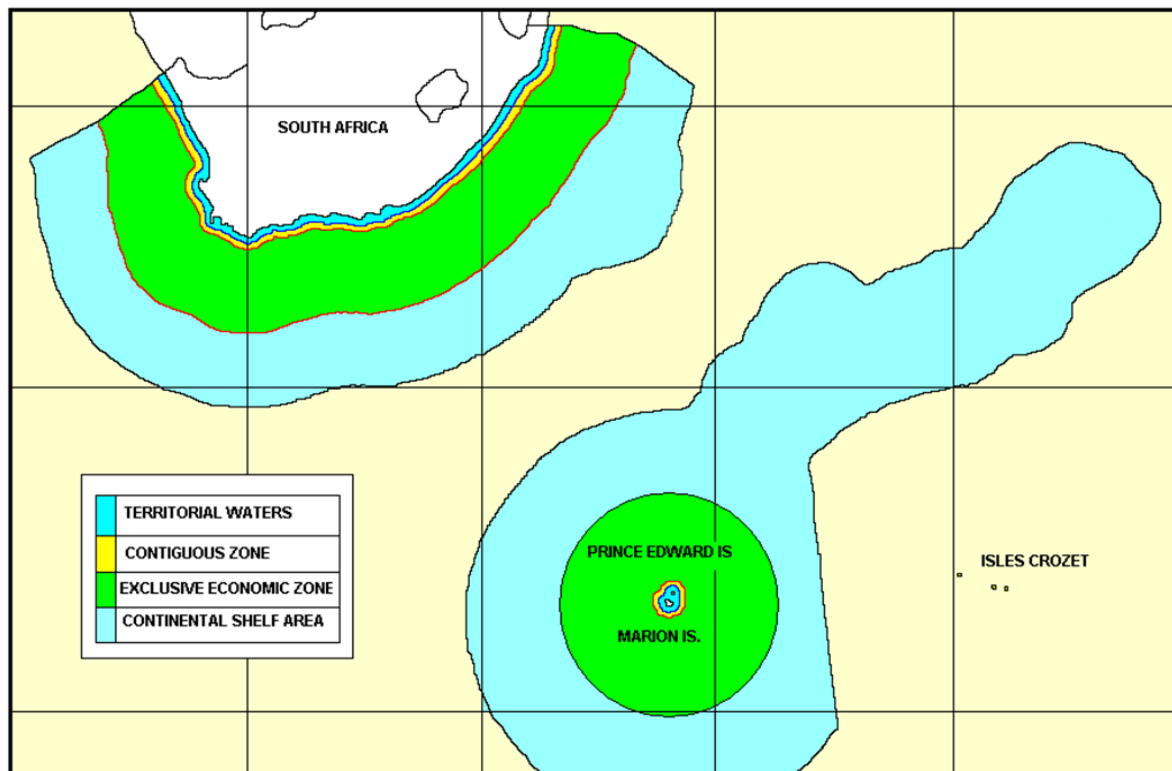
Figure 4: Maritime Zones of South Africa

Source: SANGP100, 2006

UNCLOS recognises the potential for economic growth in the maritime domain and makes the provision for the extension of the EEZ to more than 200 nautical miles from the baseline (Fouche, 2014). The geostrategic position of South Africa places the country in the maritime choke point surrounded by three oceans: the Indian, South Atlantic and Southern Oceans with a coastline of 3924km (SANGP100, 2006). The blue economy is critical for South Africa and its neighbours as 50% of its GDP comes from trade with 95% of this contributed by maritime trade while 30% of the world's oil supply passes through the Cape (South African Defence Review, 2015). Annually, the country's ports host about 12 000 ships that carry about 200 million tonnes of import and export freight (Jernberg, 2015). These activities amount to over $4 billion monthly spend on shipping activities (Jernberg, 2015). Jernberg (2015) further notes that not only does South Africa's coastline carry so much trade volumes, its sea route holds a geopolitical sensitivity when it comes to mineral exploration. Based on this discussion we can conclude that South Africa is a maritime nation, accordingly a system of governance must exist in order to govern the maritime space. That takes us to the next chapter which evaluate the current government structures in place.

Present maritime security governance

The South African maritime security environment requires the attention of different government departments, whose roles are partially in the maritime domain. The strategic planning reports of these departments were reviewed to assess whether they mention maritime

security as one of their deliverables. Hutchful (2008) and Balwin (1999) refer to the importance of defining the maritime security environment in order to understand South Africa's maritime security status. Reports from the Department of Transport (DOT), Department of Home Affairs (DHA), South African Revenue Service (SARS), South African Police (SAPS), South African Defence Force (SANDF), State Security Agency (SSA) and Department of Environmental Affairs (DEA) were reviewed to get a deeper understanding of the roles and responsibilities in relation to maritime security and the prioritisation of their resources to assess whether the issues under discussion are considered national priorities.

The **Department of Transport (DOT)** is constitutionally mandated and legislated to "provide safe, reliable, efficient, effective, affordable and integrated transport service that meet the needs of passenger and freight users" (DOT, 2015). In accordance with its 2015/2016 strategic document, the department has seven programmes which include maritime transportation. Under maritime transport, the department is responsible for the South African Maritime Safety Authority (SAMSA) which is designated as the "Administration" in terms of IMO requirements. In order to effect maritime security issues as part of its international obligation, DOT developed Merchant Shipping (Maritime Security) Regulations, 2004, under its Merchant Shipping Act (1951). The purpose of these regulations is to safeguard against unlawful interference with maritime transport (The Merchant Shipping Act, 1951). It should, however, be noted that these regulations only give a regulatory framework for the implementation of ship security and port/port facility security interface. The framework does not mandate the department to cover national maritime security issues. South Africa's national security strategy is documented in Chapter 11 of the constitution. Chapter 11 of the constitution identifies the Defence force, Police Service and the Intelligence service as the three national security structures mandated with national security.

The **Department of Home Affairs (DHA)** has immigration affairs as part of its primary mandate, the control of the movement of the person inside and outside South African borders. The DHA authorises and records the entry and exit of any person through the port of entry and can prohibit entry of a foreign national and grant refugee status to an asylum seeker (DHA, 2015). In 2013, the South African government through its cabinet mandated the DHA to lead the establishment of a Border Management Agency (BMA) (DHA, 2015). The primary purpose of the BMA is to secure South African borders and ensure that efficient facilitation of legitimate people and goods through the port of entry, co-operation and co-ordination with other organs of states, border communication or any other persons on its border law enforcement function its implemented (Border Management Authority Bill, 2016). The BMA mandate also covers maritime borders, ensuring maritime security through the development of strategies and sub-strategies, to defend, protect, secure and ensure well-managed borders by 2018/2019.

The **South African Revenue Service (SARS)** has its sole mandate to provide a customs service that facilitate trade, protects South African borders and optimise revenue collection. SARS engages in multilateral agreements on legal instruments for the purpose of simplifying trade documents, streamlining border procedures and automation of border processes. The department's other function is to fight international terrorism and security, adopt the full use

of detection and investigation techniques, risk profiling, intelligence sharing, detector dogs, etc.

The **South African Police (SAPS)** is constitutionally mandated to prevent, combat and investigate crime as well as to create a safe and secure environment for all people in South Africa. In terms of their Strategic Plan 2014-2019, SAPS is mandated to protect and secure South Africa's borders effectively by reacting to crime-related hits and to increase the reporting of unlawful possession of and dealing in drugs by at least 13%.

The **South African Defence Force (SANDF)** as contained in their Strategic Plan (2015-2020), the Department contributes by developing sub-strategies in support of an overreaching strategy to defend, protect, secure and ensure well-managed borders security of the land, air and maritime borders.

The mission of the **State Security Agency (SSA)** is to provide critical and unique intelligence on threats and opportunities for the government to advance South Africa's national security interests (SSA, 2017). As contained in its National Strategic Intelligence Act, Act 39 of 1994. The function of the Agency is to gather, correlate, evaluate and analyse domestic intelligence in order to identify any threats or potential threats to the security of the republic or its people. To supply intelligence information threats to the South African Police Service for the purpose of investigating any offences and to provide such information to the Department of Home Affairs for the purpose of fulfilling any immigration functions.

The **Department of Environmental Affairs (DEA) has,** under its branches, the Ocean & Coasts branch. The purpose of the branch is to integrate various role players, promote, manage and apply strategic leadership on oceans and coastal conservation in South Africa. DEA acknowledges the marine and coastal environment are South Africa's national assets as it provides economic, social and ecological services. It is the aim of the Department to protect and conserve the ocean's coastal environment by working towards achieving a comprehensive oceans management policy and legislation in South Africa (DEA, 2017).

The application of system of governance is not clearly defined and discussed. The state department discussed above are legally mandated constitutionally to handle different matter of the state. The said state of governance clearly indicate a disjoint between these maritime security stakeholders. There is however, mention of integration of different role-players and streamlining of border procedures. That states an acknowledgement of a need for collaboration.

CHAPTER THREE: RESEARCH METHODOLOGY

INTRODUCTION

Bueger (2015) indicates that the meaning of maritime security varies amongst writers due to the contexts in which writers write about it. Despite lack of consensus on the definition, maritime security has become one of the key national interests for many maritime nations including South Africa. One of the challenges faced by South Africa on the issue of maritime security is that the country is tasked with the responsibility of managing an ocean space larger than its land territory. This poses a challenge for collaborative governance (Operation Phakisa, 2014). Intrinsically, evaluating whether South Africa require a collaborative national maritime security strategy to manage its ocean space was sensible for this research. This research was further motivated by a gap in literature on the varied interpretation of the definition of maritime security amongst its relevant stakeholders with a particular focus on what maritime security would mean for South Africa. The research therefore sought to establish underlying reasons, opinions and motivations on the state of the country on maritime security and whether the country requires such a strategy.

The researcher applied a qualitative research method, to generate theories of maritime security, national security and maritime strategy. Bryman (2012) indicates that that this type of research qualifies as a social research in the academic world. According to Bryman (2012) the flow of a social research includes elements such as literature review, conceptual framework, research questions, sampling, data collection, data analysis, discussions and recommendations. Baxter & Jack (2008, p. 544) suggest that a qualitative case study research is "an approach to research that facilitates exploration of a phenomenon within its context using a variety of data sources" and provides tools for studying complex phenomena within their contexts. Eisenhardt (1989, p. 534) also adds that "the case study is a research strategy which focuses on understanding the dynamics present within single settings"

The research applied a Case Study design in order to generate the kind of data the study requires to answer the research question. The Case Study design allowed the researcher to apply a multi-perspective analysis in the research by considering the voices and views of government maritime stakeholders together with its own state entities and private maritime industry participants (Nieuwenhuis, 2007). The said design was applied in order to provide a comprehensive understanding of how maritime security stakeholders in South Africa relate and interact which each other in the maritime security environment, and how they make meaning of the phenomenon under study.

DATA COLLECTION

Bryman (2012) points out that data collection method in a qualitative research is conducted through three major sources: observations, documentations and interviews. Nieuwenhuis (2007) defines observation in a data collection process as a "systematic process of recording the behavioural patterns of participants, objects and occurrences without necessarily questioning or communicating with them". Interviews on the other had explored the views of the participants, their experienced beliefs and what motivates individual participants Nieuwenhuis (2007). In conducting this research, the researcher conducted individual interviews on identified individuals in government departments, state-owned entities and private maritime industry and used documentation for the collection of data. Reliability of data was increased through a method called "triangulation". Data triangulation is untilised to verify data and applied in order to ensure that data is rich, robust, comprehensive and well-developed, as the method allows utilization of more methods to collect data on the same phenomenon (Kelly, in Terre Blanch & Durrheim, 1999). The researcher utilised two types of data collection methods, primary and secondary data.

Primary data collection

The researcher utilised primary data collection sources in order to gain a deeper understanding of the phenomenon under investigation. The researcher interviewed the respondents in their place of work and notes were taken to gather information from the respondents. The researcher conducted interviews in order to engage in two-way conversations with identified maritime security stakeholders in an *interview* process. Interviews were conducted with officials from the selected departments namely South African Police Services, South African National Defence Force, Department of Transport, Department of Home Affairs, South African Maritime Safety Authority, Transnet National Ports Authority and Private industry. The aim of the interviews was to establish the views, ideas, beliefs, opinions and behaviours of the current South African maritime security stakeholders with regard to the need for a collaborative national maritime security strategy (Nieuwenhuis, 2007). The interview process was conducted with identified maritime security stakeholders from government departments, state-owned entities and private maritime organisations. The collaborative national maritime security strategy is not a familiar phenomenon in South Africa hence the researcher applied a *semi-structured interview* process in order to direct the research towards getting answers to the research question (Nieuwenhuis, 2007). This process allowed for probing in order to get more clarification on the phenomenon under investigation. In order to avoid a "hawthorne effect" which is defined as the possibility of participants in a research study changing their behavior because they know that they are in a study, or model their answers in order to suit the expectation of the researcher (Leedy & Ormond (2005), the questionnaire was not pre-distributed.

Secondary data collection

Secondary data is considered as data extracted from the primary data (Leedy & Ormond, 2014) or pre-existing data that was obtained for purposes other than the current research. The initial data was collected from scholarly journals, published books, policy reports, conference papers and other documents deemed relevant by the researcher. In addition to the secondary data, data was also collected from sources such as the internet, newspaper articles and corporate magazines in the field of maritime security in general. The researcher also considered data contained in departmental annual reports, policy statements, legislations, conference papers and presentations from the years 2013 to 2016.

DATA ANALYSES

Leedy & Ormond, (2014) point out that data analysis in a qualitative study involves organising the data chronologically, categorising, interpreting and identifying patterns and synthesis. However, they also state that there is no single way or right way of analysing data in a qualitative research (Leedy & Ormond, 2014). The data analysis process for this study was started during the data collection process which meant that the researcher might have made preliminary conclusions which might have influenced the data collection process later on. However, a triangulation approach was applied in order to get the same conclusion from a difference source. The research applied thematic data analyses analysis process, information was separated from the notes written during the interviews.

The researcher applied a thematic data analysis approach (Bryman, 2012). The thematic data analysis approach allowed the researcher to sort and categorise information into meaningful data themes. The approach was suitable for this type of a research because different data sources were consulted to source answers to the research question. The data analysis process involved breaking the data into manageable texts, patterns and relationships (Mouton, 2001). This process was applied in order to gain a deeper meaning of the phenomenon. The researcher sought to uncover information about a need for a collaborative national maritime security strategy, current trends and patterns. The data analysis process allowed the Researcher to identify common recurring issues and out of that process, the main themes that summarised the viewpoints were collected. The process allowed capturing the finer nuances of meaning not captured by original coding systems as an interpretation of data (Mouton, 2001). Deep insights brought new knowledge in the maritime security industry. This is in agreement with Mouton's approach of interpretation (Mouton, 2001).

RELIABILITY AND VALIDITY

Data reliability and validity are key aspects of a research report that distinguish the difference between a poor and good research work (Taylor & Asmundson, 2007). Data Validation determines what the research was intending to measure or how truthful the research results are. In other words, does the research instrument allow you to hit "the bull's eye" of your research objective? The researcher generally determines validity by asking a series of questions, and

often look for the answers in the research of others" (Joppe, 2000, p. 1). Taylor & Asmundson, (2007, p. 23) note that validity in a research report can be distinguished between "external" meaning "the generalisation of the research findings" and the "internal" meaning "is matter of a degree rather than one of presence or absence". The researcher attempted as far as possible to apply the minimum requirements of both validity and reliability in the study. The evaluation of data collected by the researcher was conducted in accordance with member-checking and triangulation strategy (multiple sources of data) (Maree, 2008). The researcher triangulated the findings through the selection of maritime security stakeholders. The participants were members of Maritime Security Advisory Committee as appointed by the Director General of Transport in terms of Merchant Shipping (Maritime Security) Regulations, 2004. In addition, an audit trail was maintained by utilising a method of peer review as evaluation criteria (Hewlett, 2013).

SAMPLING

The population for this research comprised of individuals from all governmental and private sector maritime stakeholders. It is from this population that the sample was derived from. The study utilised a non-probability sampling as the study did not intend to produce statistic representation (Bryman, 2008). The researcher applied a purposive sampling method and selected relevant South African government maritime security stakeholders, individuals from state-owned entities and private maritime industry participants. The population of the said sampling was selected from the Department of Transport, South African Police Service, Department of Home Affairs, South African Defence Force, Transnet National Ports Authority, South African Maritime Safety Authority and Private maritime industry participants. Leedy & Ormrod (2014) note that the qualitative research method in its nature uses a *non-probability sampling* for different sources. The said sampling method is suitable for this study as the researcher utilised different sources for data collection.

The method is appropriate for the research as the study gained a deeper understanding of the phenomenon under investigation. The research applied *purposive sampling* (another type of non-probability sampling) and snow-ball sampling which are suitable for an exploratory type of research (Maree, 2008). In identifying respondents, the Researcher used her contacts and networks. The researcher was previously employed at the Department of Transport, as a Deputy Director Maritime Security and used to work with some of the initial contacts for the purposive sampling aspect. The researcher is, therefore, familiar with the environment and some of the participants. Although the method applied might seem to be biased in the selection process of participants, it also allowed the researcher to select relevant personnel who will contribute positively to the research paper particularly as these were mostly expert interviews where people with specialised knowledge were critical to the research.

Further to the identification of the organisations, the researcher utilised her networks and connections to access interview participants with extensive experience of maritime security issues in South Africa. The selection involved identification of participants who were in the national maritime security formulation, current maritime security programmes and maritime

security implementation. The researcher also identified participants with sailing experience as seafarers to give the perspective of what really happens at sea. The sampling was, therefore, selected in order to gain a deeper understanding of the phenomenon from different angles.

ETHICAL CONSIDERATION

Research, particularly qualitative research can expose respondents to harm if proper ethical considerations were not applied in the conduct of the research. With this in mind, ethical consideration were incorporated as part of the research process to protect the dignity of the respondent by ensuring that no harm or embarrassment befalls them as a consequence of their participation in this research. Bryman, (2012, p. 130) "states that ethical issues in social research cannot be ignored, "as they relate directly to the integrity of the piece of research and of the disciplines that are involved". Respondents were informed that their identities would be protected and no names would be revealed in the research while the information they provided would be used in aggregate where possible. This seems to have put some respondents at ease as some might have been reluctant to give information. It is important that the data collected be protected from disclosure and linkage to the participants. Bryman (2012, p. 138) further adds that participants should be given as much information as possible as this will be needed to make an informed decision about whether or not they wish to participate in the study. During the interviews, the researcher gave insights into the nature of the study and ensured respondents that their personal identity and privacy will be protected. A consent form was signed by the respondent to give rights to the researcher to use data on the final research report.

LIMITATION

The researcher is familiar with maritime security environment as she served the Department of Transport over a period of 10 years. The researcher was, however, not able to access some of the information that she uses to have access to while she was still employed at the Department of Transport. Reasonable care was taken by the researcher to ensure that the required data needed for this research was obtained and confidentiality of privileged information was observed. The researcher also had contacts of the relevant maritime security key stakeholders, including officials from the Department of Transport, whose insights were critical to the research. Some limitations were experienced during the interview process, where some of the main identified maritime security stakeholders were not accessible due to other factors such as prior commitments. An alternative official within the same organisation was considered by the researcher together with his/her experience.

CHAPTER FOUR: PRESENTATION OF RESEARCH FINDINGS

INTRODUCTION

To collect primary data, the researcher utilized the interviews process which promoted a two-way conversation with identified maritime security stakeholders as listed in the table below. The purpose of the interviews was to establish the views, ideas, beliefs, opinions and behaviours of the current South African maritime security stakeholders with regard to the need for a collaborative national maritime security strategy. The interview process was conducted with the maritime security stakeholders from government departments, state owned entities and private maritime industry as identified below. The table tabulates the list of respondents representing each maritime security stakeholder, provides the total number of years of experience in the maritime security environment each respondent has and their area of focus.

The researcher selected specific maritime security participants located within the maritime security environment who possessed more than 5 years of working experience in the maritime security environment. There were eight identified participants, out of the eight, two had less than ten years of experience in the maritime security environment while six had more than fifteen years of experience. The individuals interviewed were conducted with key members of management from national government, law enforcement, state owned entities and private maritime industry participants. These individuals formed part of the National Maritime Security Advisory Committee and the newly established National Border Management Agency initiative. Data collected from the interview process was transcribed by the researcher. This research report has been analysed in terms of the qualitative research methodology.

Table 3: Primary data collection sources (maritime security stakeholders)

No	Male Respondents	Organisation	Respondent relevant years of experience	Area of responsibility
1.	Respondent **"A"**	Maritime expect	19yrs	Governance and policy implementation
2.	Respondent **"B"**	National Government	20yrs	Governance and Policy development in maritime transport
3.	Respondent **"C"**	State Owned Agency	7yrs	Policy implementation
4.	Respondent **"D"**	State Owned Enterprise	10yrs	Policy implementation
5.	Respondent **"E"**	Maritime expect	22yrs	Private maritime industry participants
6.	Respondent **"F"**	National Government	7yrs	Governance and Policy development in maritime security
7.	Respondent **"G"**	National Government	15yrs	Governance and Policy development in border policing

Data is presented in a chronological order of "A" up to "G" in the form of participant responses to the research questions.

RESPONDENT "A"

Background information on respondent "A"

Respondent "A" was currently employed in a state-owned entity responsible for managing maritime projects, stakeholder management, strategic development and business development. The respondent had sailed as a seafarer in commercial ships for more than 8 years before joining a government department. As a government employee, the respondent has over 19 years of working experience as a maritime professional. He also serves as a member of the panel of experts during court of marine enquiry for maritime safety accidents and incidents.

What is the meaning of national maritime security strategy?

In his view the national maritime security strategy should be defined by the country's geographic location, what needs to be protected, the country's security needs and clearly defined maritime security threats. According to the respondent, South Africa is referred to as area seven in terms of the search and rescue making the country's EEZ, larger than its land area. The respondent suggested that the definition would assist by defining the distance that needs to be protected. He further stated that maritime law might mean different things to each state, depending on whether it's a port state or coastal state and degree of susceptibility to illegal of legal dumping at sea. The respondent indicated that the International Convention for the Prevention of Pollution from Ships demarcates and defines what is considered illegal and legal dumping at sea.

Evaluating the current South African maritime security arrangement

The respondent noted that issues of national security remains sovereign to individual states, in order to protect the state against any foreign threats. He pointed out that South Africa had three national departments with national security mandate. These departments are the South African Defence Force (SANDF), South African Police Service (SAPS) and State Security Agency (SSA).

Evaluating a need for a national maritime security strategy in South Africa

The respondent agreed that South Africa required a national maritime security strategy in order to coordinate resources in the fight against any maritime crimes. The strategy would assist by developing a chain of command directed towards reporting and responding to any maritime security threats in the country. He said it was currently not clear who did what and as such, departments worked in isolation. He supported his statement by stating that after a fishing boat sank along Port Elizabeth, the fisherman was only rescued after three hours. A signal was sent by the Maritime Rescue Coordination Centre (MRCC) to government and non-government entities involved in the maritime rescue at sea. However, it was later discovered that the navy was not aware of the need to assist as the signal was not received. The challenge was that

MRCC does not coordinate the response but simply send a signal out and hope that one of these entities will respond and rescue the ships under distress. He emphasised that there was no central place for control and command as MRCC was just a conveyer of massages or signals that ships in distress dispatch.

With the existence of a national maritime security strategy, roles and responsibilities would be clearly defined at national level where planning and coordination of resources would be made with clear areas of accountability. The respondent believed that South Africa did have the capacity and resources to develop a national maritime security strategy. He pointed out that the country had a maritime security regulatory framework, had signed a number of international conventions meaning that it had international backup support if needed, had a number of multilateral and bilateral agreements, and support systems such as the Long Range Identification and Tracking of Ships (LRIT). He lamented that South Africa lacked a national maritime security policy which would lay a foundation to direct the country towards its national interests.

The respondent believed that the involvement of private maritime industry was crucial as cargo owners, shipping agents and clearing and forwarding agents, also had information needed by government to profile ships, passengers and cargo. That these parties had critical information about the history of the ship, its last ten ports of call, cargo, etc. Such information could be used for security reasons only if the said private maritime industry could be compelled to supply the information. On the other hand the South African Revenue Service (SARS) had become enemy number one of these shipping agents and brokers due to tax compliance imposed on export and imports. He suggested that it should have a stakeholder's relationship with these agencies in order to get security information. He lamented that SARS only randomly conducted security scanning of 10 percent of containers at ports of entry. He said such scanning excluded regular shippers who are given priority resulting in a gap in the security system. He suggested that if SARS could not search all containers, it must use other security measures to get security information.

As South Africa had voluntary whistle blowers who offer security information such as the consumer forums who inform government of illegal activities, such whistle blowers should be incorporated into the strategy. He blamed the collapse of South Africa's clothing manufacturing industry to importation of clothes from China resulting from lack of security and collaboration to manage the security risks at port level.

When answering the question "Do you think South Africa is ready to have a national maritime security strategy"? He stated that South Africa was not ready because the country firstly needed to start by developing forums that would share information and collaborate on common issues. That the Constitution made provision for cooperate governance, however the constitution does not enforce collaboration. The country needed to have a national command centre and a dedicated fleet to deal with maritime security incidents along South African waters.

How should a national maritime security be governed?

He said it was a fact that South Africa needed to effectively protect its Exclusive Economic Zone in order to protect food security and mineral resources from overfishing by foreign fishing ships. His understanding of a maritime threat was that it began with a ship, cargo and humans, that the three constitute any security threat. That originality of a threat is managed from the country of origin to the country of destination. That South Africa could learn from the Mega ports initiative where containers destined for the USA were scanned at the country of origin or last port of call before arriving in the USA ports. That other measures such as regular profiling of ships and categorising profiling from low, medium and high risk could improve security.

He said the governance of a national maritime security strategy should be located within the National Planning Commission. The project should be driven from presidency, that the presidency had the power to pull all role players under one roof. He insisted that if the project were to be driven from the lower level of government it would not be effective. That relevant stakeholders such as legal, government, shipping agents, intelligence, customs, defence, ports health, transport, etc, should form part of the strategy. He said the current structures lacked accountability, that the roles and responsibilities should be accompanied by accountability as such a move would prevent ineffective utilisation of resources.

RESPONDENT "B"

Background information on respondent "B"

Responded "B" was an employee of a national government department responsible for national maritime transport security regulation and implementation. The responded had over 20 years of working experience in the maritime governance environment and was one of the officials in the country familiar with different aspects of maritime security including maritime security and safety, environment, policy and international relations. The respondent also led the development of the Merchant Shipping (maritime security) Regulations during 2004 and its implementation thereafter. His current job description also included looking at policy formulation in the maritime transport environment.

What is the meaning of a national maritime security strategy?

He responded by stating that in order for South Africa to define what is a national maritime security strategy, it was important to have a policy or legislation that talked to that. He said defining maritime security without first conducting a threat risk assessment of the country might be misleading. He suggested that while South Africa could consider different models to study, but such models could not be presented as they were because they lacked South African risk profiling.

Evaluating the current South African maritime security arrangement

He noted that South Africa currently had a Defence Review, which considered a wide range of national security issues including maritime, and an international framework as detailed in the International Ship and Port Facility Security (ISPS) Code which was ratified and made into national law through the Merchant Shipping (Maritime Security) Regulations, 2004. He said these regulations gave power to the Director-General of Transport over maritime transport security issues and ports/ ports facilities. He said the Department further saw a need to develop a Comprehensive National Maritime Transport Policy which was currently not available to the public as it was still in draft form and had to be presented to parliament before being made public. He indicated that the presentation of the policy to parliament was scheduled for the month of April 2017. The policy was developed to facilitate maritime transport collaboration in view of the commercial maritime transportation.

The respondent also stated that the current maritime transport environment was very fragmented but noted that cabinet had recently issued an instruction to the Department of Environmental Affairs to lead the implementation of Operation Phakisa. He also suggested that the construction of a national maritime security framework or model had to firstly look at the risks profile of the country. The fact that South Africa did not have ships in its register should not deter the evaluation of the current South African maritime security's risk profiling; the process should consider how South Africa is affected as a coastal sate.

Evaluating a need for a national maritime security strategy in South Africa

He believed that South Africa was not ready to move towards national maritime security governance. He also believed that the development of a Comprehensive Maritime Transport Policy (CMTP) would give a national direction for a number of issues relating to maritime transportation. He then stressed that a need for an integrated maritime security strategy existed, that the system would facilitate the collaboration of government and clusters. His view was that government departments were aware of their boundaries and responsibilities as such a coordinated approach will be effective.

How should a national maritime security be governed?

The respondent was of the view that South Africa was not ready to have a collaborative national maritime security strategy, that the current government initiatives such as boarder management authority, Operation Phakisa, Regional Maritime Security Strategy, Maritime Security Advisory Committee are not assisting the process of moving towards a collaborative efforts. He suggested that a move towards a collaborative national maritime security strategy should be coordinated only after an in-depth understanding and analysis of maritime environment was available. He said the department of transport should remain the custodian of maritime transport security issues as it did not have any vested interest in the maritime environment. He believed that the CMTP policy framework would further define and clarify the legal framework for maritime transportation and pointed out that the national maritime security strategy would benefit South Africa as a country as it would pull together all the resources to avoid wasteful expenditure due to duplication of resources.

RESPONDENT "C"

Background information on Respondent "C"

Respondent "C" was an employee of a state-owned entity that had a national maritime transport security mandate under its umbrella. The respondent had seven years of working experience as a maritime professional and his current job description involved maritime safety, security and environment. The respondent participated in a number of maritime security initiatives locally, regionally and internationally. He was a member of some maritime security committee structure in South Africa and played the role of providing technical support to international conventions.

What is the meaning of national maritime security strategy?

The respondent described in his own words what constituted a *national maritime security* by stating that it was the blue print that outlined maritime security threats to national security and the provision of a mitigation plan. That *national maritime security strategy* was an all-encompassing document that tabulated all maritime security issues, (civilian or military related) in the country.

The respondent further elaborated on the concept of maritime security. He stated that *maritime security* referred to specific threats that related to maritime environment. Yet on the other had maritime strategy looked at the overall plans of action that involved security, environment, safety and the economy. In conclusion, the respondent defined a national maritime security strategy as a programme of government or project within maritime that was intended to ensure the correct use of the sea, while ensuring the country's economic growth.

Evaluating the current South African maritime security arrangement

The respondent stated that, in accordance with the South African constitution, there were three security agencies responsible for the primary national maritime security mandate. These were the State Security Agency, the South African Police Service and the South African National Defence Forces. While noting that there were other national departments that had national maritime security mandate, he said those mandates were secondary in nature or they played an intermediate role. He said South Africa currently did not have a written protocol or legislation that facilitated or coordinated the activities of the national maritime security stakeholders.

He said the country had a national maritime transport coordinating structure which was called the Maritime Security Advisory Committee (MSAC) which was established in terms of the Merchant Shipping (Maritime Security) Regulations, 2004. The respondent felt that the current MSAC structure was high enough to advice on national maritime security transportation issues. He further indicated that the responsibility of a national maritime transport should remain the responsibility of the Department of Transport. He however, noted the existence of challenges of inefficiency with regard to the roles and responsibilities of the role-players within the

structure. He stated that as much as the structure existed at national level, the environment was still fragmented when it came to operations.

He said in another process, the Cabinet of South Africa issued an instruction for the establishment of a Border Management Authority (BMA). The process began with a feasibility study conducted by selected international maritime security stakeholders. The process grouped the stakeholders into small groups each of which had to give a report on its findings. A business case was consolidated and presented to Cabinet and approved for implementation. The respondent indicated that the BMA structure would be launched by the President of South Africa during the year 2017. The Department of Home Affairs had been assigned the leading role for the implementation of the Border Management Authority Bill.

Evaluating a need for a national maritime security strategy in South Africa

The respondent believed that South Africa did need a national maritime security strategy which would represent a blue-print for the country. He supported his statement by stating that currently nothing informed what needed to be protected and what areas of responsibility each role-player had. He suggested that South Africa would benefit from such a strategy in a sense that protection of South Africa's fish and other spices from illegal fishing will be accelerated. He gave an example of illegal fishing and exploitation of other minerals resources that were currently being depleted without any detection as there was no security in those waters.

He believed that South Africa had enough skills and resources to develop a national maritime security strategy. He indicated that what was needed was the political will and support from top structures of government. He suggested that the formulation of a national maritime security strategy start by firstly distinguishing the difference between a *national maritime security strategy* and a *national maritime transport security strategy*. In his view, such a distinction would provide a better understanding of what should be done, who needs to do what and what needs to be protected. He believed that the national maritime security strategy should remain the responsibility of the South African Navy and the Air force and the national maritime transport security strategy should remain with the Department of Transport. Maritime security stakeholders to be involved in the process should be all those that are in existence, including the involvement of the private maritime industry. He also suggested that government needs to establish how best to utilise them in the strategy.

How should a national maritime security be governed?

In his response to the question "how should the national maritime security strategy be governed?", he stated that the process should be driven from cabinet, that it should be a cabinet directive that ordered the development in order for it to gain the support it required. He said cabinet should also appoint a lead department and define the role of such a department. He believed that the process did not require a cabinet standing structure, that the function could be delegated to the lead department. He recollected a cabinet mandate that gave an instruction to develop a national maritime security strategy. He said the national maritime security strategy

should remain the responsibility of the National Defence Force and the responsibility of a national maritime transport security strategy a responsibility of the Department of Transport. In conclusion he stated that before all these strategies could be developed, clarification on whether South Africa required to go the cooperative route, as stipulated in the constitution, or the integration route as demonstrated with the BMA process needed to be obtained from the high levels of authority.

RESPONDENT "D"

Background information on Respondent "D"

Respondent "D" was an employee of a state-owned entity responsible for the implementation of maritime security policy. The respondent's area of focus was security and governance in the petro-chemical, pipelines and commercial seaports environment. The respondent had more than ten years of working experience in the maritime security environment. The mandate was located within the seaports.

What is the meaning of national maritime security strategy?

In his view, national security constituted the safe keeping of the nation in its entirety. The protection of values, beliefs, democracy, institute of governance, unity, freedom, sovereignty, welfare and well-being of the nation. He further elaborated by stating that maritime security constituted the protection of the marine environment, blue economy activities and ensuring the rule of law and freedom of navigation. Therefore, a national maritime security strategy was a coherent national inter-ministerial framework aimed at improving the fight against maritime insecurity based on an analysis of maritime risks and threats in the short to medium term and with the possibility to affect strategic interests of South Africa and its neighbours.

Evaluating the current South African maritime security arrangement

He said South Africa currently had a national maritime security structure constituting of members of the Maritime Security Advisory Committee (MSAC) Chaired by the Department of Transport. The structure cascades to operational level as these members were represented at maritime security borders initiatives. He said the departments constituted, customs, national ports authority, law enforcement, metro police and national departments. The national structure was constituted under the Merchant Shipping (Maritime Security) Regulations, 2004. He however felt that the structure had challenges such as lack of proper coordination. He said a leadership vacuum existed at cabinet level in the form of a dedicated body responsible for maritime security in South Africa.

He stated that the structure required improvement in a form of a coordinated governance at ministerial level. That a legislation to effect such a framework should clearly spell out the coordinating mechanism. He said in the absence of such a legislation, the framework would not be useful as stakeholders would not be held accountable for inefficiencies. The respondent acknowledged that the roles and responsibilities of stakeholders, as documented in legislations, is very clear. What seems to be the challenge was the human factor. He said the human factor was the biggest contributing factor to the challenges experienced amongst stakeholders. He said without a single piece of legislation that coordinated the environment, individuals operated under different legislations resulting in stakeholders fighting for control of the space.

He said the structures at operational/port level had involved the municipal metro police, due to threats of squatters who resided along the harbour. He suggested that the intention of the squatters was to stowaways in a ship as some port infrastructures provided ease of access to the quay due to public (restaurants) areas along the harbour.

Evaluating a need for a national maritime security strategy in South Africa

The respondent believed that South Africa required a national maritime security strategy as South Africa was a maritime nation trading all over the world. He said South Africa accepted its obligation to combine with other maritime nations to uphold the freedom of the seas and to protect the country's national interests. He said South Africa would benefit from having a national maritime security strategy as it would secure the country's exclusive economic zone and maritime domain in general and that the process would create an enabling environment for the blue economic activities to blossom and ensure marine safety and freedom of navigation.

He also indicated that South Africa had the appropriate skills and resources at various institutions both in the public and private sector to develop the strategy. He said what was missing was coordination of purpose as well as a relevant mechanism of execution. He said the strategy was important in a sense that South African security interests on the blue economy were fundamentally linked to the well-being, prosperity and security of people. The maritime security strategy should aim at responding to modern risks and threats to global maritime security, bringing together all the relevant maritime actors (maritime safety, marine environmental protection, fisheries control, customs, law enforcement, defence, home affairs, border management agency etc).

He suggested that the strategy should be all inclusive and promote a better civil-military cooperation and coordination. He believed that South Africa as a littoral state through which most national and regional trade by sea certainly channelled the country towards the development of a National Maritime Security Strategy. He, however suggested that the question of readiness should preferably be approached from a perspective of taking stock of all work that had been done and then conduct a gap analysis in order to determine whether there was any need for further preparatory work.

The respondent gave examples of good strategies that South Africa could learn from such as those of the African Union (AU) 2050 Maritime Security Strategy, USA, France, Australia, Canada, and SADC 2030. He said South Africa could learn from these strategies as they applied a consultative process that led to the development of their national maritime security strategies.

How should a national maritime security be governed?

When asked how the national maritime security strategy should be governed, he replied by stating that the maritime security strategy was part of national security strategy. However, it was not purely a naval preserve, but should be hosted at an appropriate National Department under a specific ministry such as the Department of Transport which he considered a suitable

department due to its legal mandate of providing a civilian oversight which maritime security is deemed to be. The relevant Statute would make provision for maritime security governance issues. The establishment of the strategy would benefit South Africa by achieving the well-being, prosperity and security of people.

RESPONDENT "E"

Background information on Respondent "E"

Respondent "E" grew up in the maritime environment where his father was a fisherman. He began his maritime career working for railways harbour as an officer. The respondent was amongst the first black seafarers to enter the maritime environment, worked for shipping. He also studied maritime transportation at university. The respondent had more than 22years of working experience. He has also served at different companies as a member of the board of directors. The respondent is currently part of a team that conducted marine court of enquiries recently held in Port Elizabeth.

What is the meaning of national maritime security strategy?

In his view, national maritime security constitutes the safe keeping of South Africa's borders in order to protect its maritime environment. He did not believe that South Africa had any national maritime security threats. He supported his statement by stating that there was no threats of war and that the country learned its lesson from the historic wars of other countries such Mozambique and Angola and that the country was neutral to the ideology of other countries making it not to be a target of conflict associated with interest of high risk countries.

He said maritime security constituted the protection of South Africa's waters against any threats that might emanate from within South African waters or outside. He said South Africa has a policy that allowed open maritime border which enabled a flood of migrants into the country. He said the situation exposed the country to threats associated with maritime transportation such as piracy and human trafficking due to its geographic location which made it a transhipment country. He said the challenge that came with being a transhipment hub enabled the rebranding of goods from a country of origin whose goods are not accepted by other countries to gain access to those countries. He said the country's geographic location also facilitated the hosting of high risk rebranding such oil tankers.

The respondent believed that the country could not begin to talk about maritime strategy while it does not even have a salvage strategy which is meant to protect the lives of people at sea. In addition, South Africa had depleted its maritime fund which is meant to fund any additional costs that might occur if an incident of an oil spill happens. He said international treaties were not in line with the national strategy of the country which also had a disjointed system. The respondent however believed that the Department of Transport should be the lead department in the development of the strategy.

Governance of the national maritime security strategy

The respondent felt that the national maritime security strategy should be governed through a lead department, which in this case should be the Department of Transport. He said the current setup did not promote any lead department to be nominated in the maritime space as the current

maritime stakeholders had their own interests at heart and would therefore not be able to put the interests of maritime as a whole first while the Department of Transport had a neutral mandate without any interests in the maritime space. He gave an example of an incident where 14 people died while their fishing boat sank. The incident occurred due to lack of leadership and authority on maritime search and rescue mission as well as the absence of a salvage strategy. He said the maritime search and rescue could not assist those fisherman in time due to the inability of the Maritime Rescue Coordination Centre (MRCC) to control and command the search and rescue mission. He said the MRCC did not have resources to respond to these incidents as they relied on other role-players to respond to a maritime security incident.

In his view the national maritime security strategy should be governed under a leadership of a single ministry. The respondent made an example of what the Americans have which is the Coast Guard concept whose main focus is maritime law enforcement and search and rescue. The Coast Guard had special agent units that specialise in investigations of maritime incidents. He said in order for South Africa to identify the said lead agency, it firstly needed to define the interest of the country. On the other hand, the responded felt that the lead governance of the strategy should be located under Department of Trade, that the department should have the monitoring and evaluation sub-division to monitor the implementation of maritime regulations. The respondent expressed the importance of monitoring and evaluation which would detect financial loses earlier.

He said the Department of Transport should develop the maritime transport policy which should be in line with the national strategic direction. He added that the current Merchant Shipping Act must be reviewed to reflect today's South African environment that included the economic aspects of the country. It should also look its demographic position, regional obligations together with its international obligations.

RESPONDENT "F"

Background information on Respondent "F"

Respondent "F" was the acting Chief Director of a government department that had a maritime security regulatory responsibility. He had seven years working experience in the maritime sector. The respondent formed part of a number of maritime security initiatives nationally, regional and internationally including the technical advising team at the International Maritime Organisation (IMO). He also formed part of the team that worked on the regional maritime security strategy including other SADC maritime initiatives.

What is the meaning of national maritime security strategy?

He said national security was a multifaceted concept which constitute the addressing of issues of national security on its entirely including South African borders. The national maritime security on the other hand constituted the protection of the maritime environment in it's entirely. He said the strategy could then have chapters that deal with different aspects such as, maritime transport, and fisheries, offshore installation, high seas security, border security and land ship interface with are the ports. Therefore, the strategy should consider anything that happened in the sea. On the other hand, he said broadly speaking, the concept of maritime strategy was concerned with the management of the maritime space on its entirety, and beyond maritime security matters to cover issues of economic interest and food security.

In conclusion, he said the national maritime security strategy addressed all national maritime concerns within the ambit of maritime security strategy which spells out how to protect the maritime space against piracy, illicit drug trafficking and other illegal activities.

Evaluating the current South African maritime security arrangement

The respondent stated that maritime was a matter of national competence which did fall under the jurisdiction of the Provincial governance mandate. He said the structure of the national maritime security constituted the responsibilities of all the security cluster departments which are the Defence Force, Department of Safety, Security and State Security Agency, the Department of Home Affairs, etc. These stakeholders were not governed collectively under any written protocol or legislation but each individual department had its own mandate. He, however noted that these mandates impacted on each other in the sense that what SAPS did has an impact on what the Department of Home Affairs did and vice versa. The respondent gave an example of a situation where the SAPS chased a suspected maritime offender only up to 12 nautical miles into the sea waters but SAPS could not arrest an offender past 12 nautical miles otherwise the arrest would be deemed unlawful. Further to that the South African navy could not arrest that particular offender in their jurisdiction of past 12 nautical due to the fact that the offender did not commit the crime within their jurisdiction.

The respondent felt that the current South African maritime security arrangement was not working as stakeholders worked in silos which provided a risk because criminals exploited the gap. He said the current arrangement required strong coordination, perhaps the collapsing of all maritime security stakeholders into one, although that would require a Constitutional amendment. He said collapsing all maritime security stakeholders into one could be achieved by joining maritime security functions situated within departments. He also noted that this would also result in the collapsing of all enabling legislations into one. He suggested that the concept of a Border Management Agency attempted to achieve such an objective.

Evaluating a need for a national maritime security strategy in South Africa

The respondent felt that South Africa urgently required a national maritime security strategy to enhance service and facilitate the protection of South Africa's borders. The responded believed that South Africa had adequate skills and resources to develop a proper working strategy. According to him, the challenge was that security strategies were scattered in different departments limiting the ability of the country to maximise its services. The respondent strongly believed that the ownership of the strategy should be taken by someone within the security clusters. He elaborated by stating that South Africa currently had a challenge as no department wanted to own the strategy because it did not form part of that department's national mandate. He also pointed out that the Constitution of the country identified different role players but did not give authority to own and lead the space to any of them. Accordingly, he suggested that Cabinet should decide who must take the leadership of the strategy.

When discussing which stakeholders should form part of the strategy, the respondent indicated that South Africa had a National Intelligence Coordinating Committee, referred to as NICOC which had a national mandate to advise government on national security issues compiled from the coordination of all the intelligence information of the country. However, NICOC could not advice government on who to lead the development of a national maritime security strategy because it was not legislated statutory body. Seeing that NICOC was helpless in this matter, NICOC should take the matter to cabinet as it was its responsibility to find a solution. The respondent promoted the involvement of private maritime industry into the strategy development although he believed NICOC could only contribute into the strategy as the strategy was aimed at addressing issues of public concern. The responded felt that South Africa was ready to have such a strategy, and he believed the country could benefit from learning about the strategies of other countries such as United States of America, United Kingdom and Singapore.

How should a national maritime security be governed?

The respondent was of the view that the national maritime security strategy should only be governed by someone from the security implementing agencies. He suggested that Cabinet should provide direction on which department should be the lead agency of the maritime security strategy. The respondent sustained his argument by stating the example of Operation Phakisa which did not appoint a lead agency although it provided a framework for accelerating

the economic benefits of the country to address poverty and create jobs. He also noted that Operation Phakisa did not redefine the roles and responsibilities of its parties as every department was still responsible for its original mandate.

RESPONDENT "G"

Background information on respondent "G"

Respondent "G" headed the national border policing in South Africa and had 15 years working experience. His department was mandated with the responsibility of over ten air borders, fifty-three land borders and the sea space of about twelve nautical miles. The Department was mandated in terms of Section 2.1.8.1J of the interim constitution stating the "control of the illegal movement of people and goods".

What is the meaning of national maritime security strategy?

In response, he said national security constituted the protection of national borders, territorial waters, sovereignty of the state, airspace, maritime and land environment. The respondent referred to maritime security as the part of national security which covered all maritime port of entry, territorial waters, small fishing harbours international waters and South Africa's exclusive economic zone. He said South Africa had a role to play in regional and international maritime security space and that some engagements had been demonstrated through the signing of the Djibouti Code of Conduct which concerned the repression of piracy and armed robbery of ships at sea. He added that there were also a number of other African Union initiatives that South Africa took part in to sustain its role in regional maritime security initiatives.

Evaluating the current South African maritime security arrangement

When asked to define the current maritime security arrangement, the despondent stated that the Department of Transport, through its Merchant Shipping Act, played a leading role when it came to commercial maritime transportation issues. He said the South African National Defence Force had a national mandate for ensuring safety and security of South Africa which included the maritime environment. He also pointed out that the South African Police Service had a role in the policing of South Africa's territorial waters up to twelve nautical miles. He noted that this arrangement also included other state departments such as the South African Revenue Services and the South African Maritime Safety Authority. He stated that law enforcement security and civilian security was somehow balanced with all aspects covered. He stated that some departments who played a critical role in the maritime environment such as Port Health were not visible enough to play their role at national level while being more visible at the provincial level.

The respondent noted that South Africa currently had formal structures that governed maritime security, such as the Maritime Security Advisory Committee (MSAC) which provided advice to the Director-General of Transport on all national and international commercial maritime security issues. He said South Africa also had another structure called Natjoint which provided national security issues to the Director Generals in the Justice and Crime Prevention Structures. However, Natjoint focused more on the law enforcement issues than security issues affecting commercial shipping.

Based on the respondent's input, he was requested to discuss challenges affecting the current maritime security structures and arrangements. He indicated that due to the fragmentation of the industry, there were challenges in some areas while in other areas there were none. He suggested that the police, health and defence should closely work together at the ports of entry where they played a critical role. He indicated that there trade and security did not have the same status and that security was considered more dominant than trade. He alleged that fragmentation might be views as the biggest threat that is facing South Africa's National Security right now. He gave an example of a ports of entry such as a port where role-players worked together in the same space but not share resources and information.

He indicated that the situation needed improvement. He noted the decision by government to develop a Border Management Authority whose piloting had been allocated to the Department of Home Affairs to lead. He, however, suggested that such an arrangement would not work well in South Africa as the country was not a federal state like the United States of America where such an arrangement works better due to its system of governance. With regard to the proposed BMA structure, he questioned how a civilian structure would give a mandate to law enforcement agencies. He pointed out that the South African Police Services and the Defence Force had constitutional mandates to protect the state and these structures observed control and command. He also stated that South Africa, as a democratic state, had a strong private sector influence, which somehow had a strong hold on government.

Evaluating a need for a national maritime security strategy in South Africa

With all that in mind, the respondent was still of the view that South Africa required a national maritime security strategy which would manage the country's maritime security fragmentation while ensuring that the balance between civilian and security was maintained with more emphasis put on trade. He suggested that the country should manage to control expenditure, trade process and streamline all its international standards and treaties. He also indicated that South Africa had appropriate skills and structures to develop a comprehensive maritime security strategy but the country needed to go through a transitional period with more awareness campaigns being conducted.

How should a national maritime security be governed?

He suggested that the strategy should be governed and controlled in line with South Africa's international and regional obligations including to the IMO and AU. Nationally the department of transport should remain as a lead agency working together with the Natjoint structures. The Department of International Relations and Cooperation (DIRCO) should be incorporated in order to contribute on diplomatic channels. He also added that the governance structure should provide for engagement with the private maritime industry.

SUMMARY OF RESPONDENTS

In this Chapter, the respondents were presented with the research questions as documented in the research questionnaire. The questionnaire contained three main questions which demanded discussion on the meaning of national maritime security strategy; the evaluation of the current South African maritime security arrangement; perceptions on the need for national maritime security strategy; and the assessment of how the proposed strategy should be governed. The list of the question asked is attached as Appendix A. This research identified participants based on the roles and responsibilities in the maritime industry with a particular focus on maritime security and the number of working experience in the field. The information discussed above provided this research with the thoughts, views, ideas, believes and opinions rich with experience and knowledge gained by participants over time. The data collected from respondents is summarised below.

Responds	Defining maritime security strategy	Evaluating a need	Governing of the strategy	State of readiness
"A"	It should be define as the country's geographic location, define what needs to be protected, the country's security needs and clearly defined maritime security threats	The responded agrees that South Africa require a national maritime security strategy, why? to coordinate resources in the fight against any maritime crimes	The governance of the strategy should be within the National Planning Commission located in the Presidency	South Africa is not ready to develop such a strategy, why? South Africa must firstly develop forums that would share information and collaborate on common issues.
"B"	In order to define a South African maritime security strategy a risk profile is required	The responded neither disagree nor agrees with whether South Africa requires a national maritime security strategy, why? he believe that a national maritime security strategy somehow exists within government clusters.	The department of transport should remain the custodian of maritime transport security as it has not vested interest in the environment. An in-depth understanding and analysis of maritime environment is required prior to deciding on the collaborative.	South Africa is not ready to move towards national maritime security governance, why? Because of a lack of a Comprehensive Maritime Transport Policy which will give a national direction for a number of issues relating to maritime transport.
"C"	A national maritime security strategy is an all-encompassing document that tabulate all maritime security issues, (civilian or military related) in the country.	The responded agrees that South Africa need a national maritime security strategy, why? The strategy will represent a blue-print for the country.	The process of governance should be driven from cabinet, it should be a cabinet directive that ordered the development of the said strategy in order for it to gain the support it required. A lead department should be appointed.	The responded was silent on whether South Africa is ready or not ready to have such a strategy.

"D"	A national maritime security strategy was is a coherent national inter-ministerial framework aimed at improving the fight against maritime insecurity based on an analysis of maritime risks and threats in the short to medium term and with the possibility to affect strategic interests of South Africa and its neighbours	The responded agrees that South Africa require a national maritime security strategy, why?, that South Africa was a maritime nation trading all over the world and has accepted its obligation to combine with other maritime nations to uphold the freedom of the seas and to protect the country's national interests.	The strategy should be hosted within the Department of transport in order due to its legal mandate of providing a civilian oversight on maritime security.	With regards to the state of readiness, the responded was silent. His in view that a gap analysis is required in order to determine the state of readiness.
"E"	A national maritime security constitutes the safe keeping of South Africa's borders in order to protect its maritime environment	The responded does not agree that South Africa require a national maritime security strategy, why? he believes that the country cannot discuss such a strategy if it does not even have a salvage strategy which is meant to protect the lives of people at sea.	A national maritime security strategy should be governed under a leadership of a single ministry	In not many work the responded stated that the national maritime legislations need to be updated, that include a national maritime policy to give a direction, in such he implies that the country is not ready to have such a strategy
"F"	The national maritime security strategy should address all national maritime concerns within the ambit of maritime security strategy which spells out how to protect the maritime space against piracy, illicit drug trafficking and other illegal activities	The responded agrees that South Africa need a national maritime security strategy, why? in order to enhance service and facilitate the protection of South Africa's borders.	The maritime security strategy should be governed by a department within the security implementing agencies, that cabinet must give a clear direction who should be a leading agency.	The responded felt that South Africa is ready to have a national maritime security strategy, he supported his statement by stating that adequate skills and resources exist in the country.
"G"	State that national security constituted the protection of national borders, territorial waters, sovereignty of the state, airspace, maritime and land environment.	The responded agrees that South Africa need a national maritime security strategy, why? in order to manage the country's maritime security fragmentation while ensuring that the balance between civilian and security is maintained with more emphasis put on trade.	The department of transport should remain as a lead agency working together with the Natjoint structures.	The responded was silent on the status of readiness, however he believes that the country needed to go through a transitional period with more awareness campaigns being conducted.

CHAPTER FIVE: ANALYSIS OF RESEARCH

INTRODUCTION

In this chapter, the process applied to analyse data collected in order to establish how participants make meaning of maritime security is presented in detail by analysing their perceptions, attitudes, understanding, knowledge, values, feelings, and experiences of South African maritime security stakeholders (Nieuwenhuis, 2008). The approach combined "content analyses" which refers to the utilisation of books, brochures, written documents, etc, with the interview process. The purpose of the study was to examine whether South Africa required a comprehensive national maritime security strategy; evaluate the current maritime security arrangement; and probe for views on how the strategy should be structured. The research found that defining maritime security remained a challenge with some writers referring to it as the latest "buzzword", arguing that it gained its power through a vague euphemistic quality and its ability to embrace a multitude of possible meanings (Bueger, 2015). South Africa has, identified a need to protect its maritime environment against any threats that might emanate from internal or external factors.

SUMMARY OF THE STUDY

The meaning of maritime security was understood by the researcher as being a process encompassing all relevant aspects in the maritime environment together with national priorities. Maritime security is a process which describes what needs to be protected at sea, including marine environment, shipping, ports of entry etc and identifying what the threats might be. It was also found that a theoretical definition of maritime security relevant to all did not exist. National maritime security strategy on the other hand was defined as all processes set in motion and guided by the constitution, detailing planning of all maritime activities, protection of national maritime interests and the process of pulling together all relevant government maritime resources while ensuring the maximisation of all efforts.

In order for the research to ensure the widest possible coverage of evaluation, the process distinguishing between the methodology of maritime security and national maritime security strategy, and the different experiences, perceptions, advices, and feelings of relevant maritime security stakeholders, referred to in this report as participants, was developed. The methodology perspective covered literature, documentation and observation and stakeholders review constituted interviews. In essence, the research applied a multiple indicator approach which utilised the same set of issues on different platforms in the research. The discussion below details the approaches followed to generate and collect information on which this report based its findings and recommendations.

Literature review

The research evaluated general literature on maritime security and maritime transportation. Maritime security has generated a large body of international and regional research with much attention focused of maritime piracy. There is less published on maritime security strategy on South Africa. The study was selective in its evaluation of literature and was guided by for the focus on relevant literature referring to a South Africa maritime security situation in the years 2012 to 2016. A substantial number of publications dealing with maritime security, national security and maritime security strategy were analysed and relevant ones are referred to as examples of good practise at appropriate places in the report. The literature review process also included the evaluation of government strategic planning documents, between 2015 and 2020 of relevant maritime security stakeholders in SA.

The researcher considered national strategic documentation of relevant maritime security stakeholders such as the Department of Home Affairs' Strategic Plan 2015-2020, the South African Revenue Services' Strategic Plan 2015-2021, the South African Police Services Strategic Plan 2014-2019, the Department of Transport's Strategic Plan 2015-2020, and the Department of Environmental Affairs' Strategic Plan 2015-2016. The review of these documents was undertaken together with other departmental communications published on line and in the media.

Interviews

The respondents were presented with the research questions as documented in the research questionnaire. The questionnaire addressed three main questions and discussed what the meaning of national maritime security strategy was; an evaluation of the current South African maritime security arrangement; perceptions on the need for a national maritime security strategy; and lastly an assessment on how the proposed strategy was to be governed. The list of questions asked is attached as Appendix A. The researcher identified participants based on their roles and responsibilities in the maritime industry, in particular in maritime security and also the number of working experience in the field.

The information discussed above provided this research with the thoughts, views, ideas, believes and opinions rich with experience and knowledge gained by participants over time. The data collected from respondents is analysed and discussed in chapter five and six below. The interviews process involved face to face discussions between the researcher and the respondent using a semi structured interview process and a research questionnaire as a tool guide the discussion between the interviewer and interviewee. However, the researcher was able to probe for more information on the phenomenon.

SUMMARY OF FINDINGS/ RESULTS

Defining national maritime security strategy

Information received from respondents on the understanding of maritime strategy was found to contradict Hattendorf's (2013) understanding that the general concept underlying maritime strategy has no absolute dicta. Accordingly, a constant involvement with theory is required to modify and correct the definition taking into consideration the historical analysis in light of the experiences. In view of this the respondents defined the concept of national maritime security strategy in two approaches. The first approach was that the concept could not be defined separately as defining this concept without a threat risk assessment might be misleading. Some respondents were of the view that while different models applied, such models might lack the South African risk profile.

Respondents however agreed that a holistic consideration should be applied with clearly defined maritime security threats, areas of coverage and stakeholder management areas. Such an approach should involve functionalities such as state power, which includes diplomacy, safety and defense of merchant trade at sea, fishing, the exploitation, conservation, regulations and defense of the EEZ at sea, coastal defense, security of national defense, the protection of offshore islands, as well as participation in the regional and the world-wide concerns relating to the use of the oceans, the skies over the oceans and the land under the sea as suggested by Hattendorf (2013). The definition should also be in line with international arrangements where applied maritime law might mean something different to a South Africa situation, depending on whether South Africa is a Coastal State or Port State. (A coastal State is a state which is not land locked, a port State is a state which is a coastal and has ports and offshore terminals).

The second viewpoint is that national maritime security strategy referred to a plan that intends to protect the maritime environment in it's entirely against any threats that might emanate from internal and external waters, while ensuring the rule of law and freedom of navigation. Such a strategy could constitute different chapters, such as maritime transport, fisheries, offshore installation, high seas, border security and land ship interface.

Challenges emanating from current maritime security arrangements

Most respondents acknowledged that South Africa desperately needed a national maritime security strategy in order to counter any threats that might emanate within South African waters. They also acknowledged that there were challenges amongst maritime security stakeholders. Such challenges are listed below.

- o They stated that South African maritime security environment was fragmented, that stakeholders worked in isolation;
- o That the Department of Transport was constitutionally mandated with commercial maritime transportation issues which included maritime search and rescue. However, they pointed out that the Department of Transport did not have the capacity to respond

to ships in destress and relied on other role players to respond. Such an arrangement posed a challenge as the Department of Transport did not have the authority to control and command the said departments;

o There was a clear disjoint between the views of government maritime stakeholders and those of the private maritime industry participants. As an example, the South African Revenue Services was perceived as an enemy of shipping agents and brokers. Such a perception did not benefit security as the private maritime industry was seen as possessing much needed information critical for security;

o South Africa currently did not have a ship register as such. The absence of such a register was perceived as a reason why maritime transportation security might not be emphasized due to the view that there was no eminent threat;

o The Constitution of South Africa mandated three law enforcement department with the primary national security mandate. However, there were other state departments that had secondary maritime security mandates. Such an arrangement created a challenge of prioritization and distribution of resources;

o That South Africa was mandated by the IMO to develop a salvage strategy (a plan for responding to maritime incidents such as oil spills along South African waters) but South Africa did not currently have such a strategy. Due to the absence of such a strategy, the country could not even begin to talk about national maritime security strategy;

o There was also a view that South Africa was aware that a national maritime security strategy was required. However, no department wanted to take ownership of such a strategy as it was not their national mandate to do so; and

o South Africa had NICOC whose mandate was to advice government on national security issues. However, NICOC was failing to advice government on the issue of maritime security strategy as it was not a statutory body.

Evaluating a need for a national maritime security strategy

Out of the seven respondents, respondents "A", "C", "D", "F" and "G" who forms the majority agrees that South Africa needed to develop a comprehensive National Maritime Security Strategy as the country had laid a good base on international engagement for maritime security, such as the ratification of the ISPS Code and other maritime treaties. The country also had a solid national legal framework and justice system to enforce the monitoring of maritime security. Recent activities included the development of the Border Management Authority Bill and the draft Comprehensive Maritime Transport Policy which was currently out for public comment. That South Africa had the political will was recently demonstrated by the President of South Africa who announced government's initiative for unlocking the economic potential of South Africa's oceans.

That South Africa had national structures such as the Maritime Security Advisory Committee (MSAC) chaired by the Department of Transport in place. The structure advised the Director-General of Transport on commercial maritime security related issues. Further, that there were other security clusters governed from cabinet through the NATJOINT which affiliated to

Justice, Crime Prevention and Security Cluster and NATJOC structures. These structures covered both civilian oversight and law enforcement agencies. South Africa also had fully operational defense force, police service, and intelligence structures. Over and above that, the country had other civilian structures that had maritime security interests at heart. They also believed that the strategy would benefit the country by:

- o Providing a clear chain of command for reporting and responding to maritime security threats and incidents in the country;
- o Facilitating the collaboration of all relevant systems of government and clusters;
- o Representing a blue print of maritime in the country;
- o Clearly defining the roles and responsibilities of relevant maritime security stakeholders nationally;
- o Planning and coordinating all government resources in order to dispatch such resources under one system of governance and save government money from duplications;
- o Ensuring accountability of those who were inefficient under one governance system; and
- o Providing the much needed protection for fish and other sea species from illegal fishing and such protection should be accelerated.

However, the views of respondents differed when it came to the state of readiness of South Africa to have a national maritime security strategy. Three respondents are of the view that South Africa is not ready to have such a strategy, stating reasons such as, South Africa must firstly develop forums that would share information and collaborate on common issues, South Africa's lack of a comprehensive maritime transport policy which will give a national direction for a number of issues relating to maritime transport and that the country lacks a salvage strategy which is meant to protect the lives of people at sea, coupled with a need to review national maritime legislations. One respondent argued the said notion stated by the three respondents, by stating that South Africa is ready to have such a strategy because adequate skills and resources exist in the country. On the other hand, the other three respondents remained silent on their viewpoint, one view is that a gap analysis is required in order to determine the state of readiness, another view being a need for a transitional period with more awareness campaigns being conducted needed.

Proposed system of governing national maritime security

The system of governance seemed to be in the center of the discussion. The researcher closed off the discussion by establishing the views of participants on the issue governance of the proposed strategy. The said discussion was probed in order to get the solution to current challenges under the South African maritime security environment. The participants were asked a question of "how national maritime security should be governed?" In response, participants seem to have different views and understandings of how maritime security should be governed. Below are some of the recommendations listed in point form.

First point: Governance of maritime security should be located within the National Planning Commission. This view point was based on the notion that only the President had the power to pull role-players together;

Second point: South Africa was not ready to move towards the development of a comprehensive maritime strategy due to the extent of fragmentation and that the current maritime arrangement was sufficient until such time that an in-depth understanding and analysis of the maritime environment was understood. It was suggested that only then should a move towards development of the strategy be made;

Third point: National maritime security formed part of the national security strategy. However, it was not purely a naval preserve and therefore it should be located within the correct Ministry. The Department of Transport was a suitable ministry to lead national maritime security because the maritime environment was located where the Department had the civilian oversight;

Fourth point: The leading role of the national maritime security should be allocated to any one of the implanting agencies, that Cabinet should give direction on which agency should be a lead agency; and

Fifth point: This view suggests that the Department of Transport and the South African National Defense Force should be allocated the leading role to ensure that national security was balanced with civilian security in order to ensure continuity in trade relations.

CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS

INTRODUCTION

The aim of this qualitative research was to evaluate whether South Africa required a national maritime security strategy. The study evaluated the current maritime security setup and assessed the views, thoughts, ideas and opinions of stakeholders on how South Africa's maritime security strategy could be constructed. The research interpreted the current maritime security arrangement and constructed the meaning of the situation in order to provide an answer to the research question as contained in this research report. The applied method of research looked into assumptions made about the phenomenon and its fundamental aspect of reality.

Chapter five of this report provides an analyses of information collected through the primary and secondary data collection processes. The identified respondents provided valuable information and generated views, thoughts, ideas and opinions about the phenomenon. The data presented identified challenges pertaining to current South African maritime security situation, and further generated recommendations to the study on how maritime security should be governed. Based on the data collected by this study, this research report concludes by stating below the findings, analyses and observations.

CONCLUDING PERSPECTIVE

- South Africa became signatory to the IMO in 1995. By becoming a member of the IMO South Africa became obligated to cooperate on matters involving governance of the maritime domain in order to ensure the protection of maritime domain against any national, regional, continental and international threats. The obligation also compelled South Africa to develop a comprehensive national maritime security strategy. How such a strategy should be developed remains a national government responsibility.

- The research attempted to define maritime security as a concept. Literature revealed that there was no single definition suitable for all nations. This argument was confirmed by most respondents during the interview. The researcher further observed that maritime security stakeholders lacked clarity on distinguishing between protection of South African sovereignty and protection of commercial activities affiliated within maritime domain;

- The respondents acknowledged that South Africa did not have a comprehensive national maritime security strategy and agreed that such as strategy was required. They also acknowledged that all current maritime security stakeholders had a major role to play in the maritime domain;

- The relationship between these stakeholders could be described as fragmented. This suggests that these stakeholders worked in isolation. The fragmentation was blamed on

the national governance as mandated by the South Africa Constitution which delegated individual roles to each department;

- However, Chapter 3 of the South African Constitution supports stakeholder cooperation. Chapter 3 of the South African Constitution states that "all spheres of government must cooperate with one another in mutual trust and good faith by (i) fostering friendly relations, (ii) assisting and supporting one another, (iii) informing one another of, and consulting with one another on, matters of common interest, (iv) co-ordination of their action and legislation with one another, (v) adhering to agreed procedures; and (vi) avoiding legal procedures against one another" (The Constitution, 1994). However, the Chapter referred to cooperation but did not refer to who took control and command when law enforcement and civilian departments met in such cooperative engagements. Such a state of affairs remained confusing amongst maritime security stakeholders.

- The researcher observed the fragmentation identified by this study from the participants themselves. When engaged by the researcher during the interview sessions, most participates felt very strongly around their own area of focus when it came to maritime security. Not much was mentioned on how the working relations was managed or coordinated, participants elaborated more on what their individual departments were mandated to do not how they interacted with other departments.

- The study has identified that South Africa had relevant structures in place to support maritime security nationally and operationally. The country had national legislations, relevant national departments, resources and international framework that supported maritime security nationally.

WHAT IS TO BE DONE?

The research concludes by acknowledging that there were a number of activities currently taking place in the country as far as national maritime was concerned. More specifically the development of the draft Comprehensive Maritime Transport Policy (CMTP) which was approved by cabinet for public consultation in March 2017. The development of a Border Management Authority (BMA), which was undergoing further discussions and reviews, the Defence Review, Operation Phakisa which touched on the acceleration of economic development in the maritime environment and other initiatives not covered by this research.

The research further observed that these initiatives reflected further fragmentation on the strategic level. The department of transport was also developing a policy. The process involved all relevant stakeholders for contribution and direction. Operation Phakisa was delegated to the Department of Environmental Affairs to drive the process in which each role player was still mandated to deliver as per their national mandate. The Defence Review on the other hand had all its national security defence strategy reflected in the said document. However, none of these processes recommended or documented a national directive which reflected a single station for

control and command, where accountability and reporting was centralised. It is with these reasons that the research as a first point recommends that:

First Point: South Africa should have a codified national security policy which reflected modules representing different areas of national security. National maritime security should reflect as a module within the said national policy which should aim the system of governance on national security centrally in order to ensure a clear direction on the role and responsibilities of the said departments.

Second Point: Emanating from the said national policy (as discussed above), South Africa should develop a collaborative national maritime security strategy which should take cognisance of the national policy framework. Such a framework would reflect the political stand point, national economic development priorities, and regional, continental and international policy frameworks.

The national maritime security strategy will benefit South Africa in the following areas:

a. *The development of the blue economy:* A national maritime security strategy will provide solutions and guidelines for coordinating issues on ocean governance between socio-economic aspirations and environmental integrity in support of the government's perception that South African waters have the potential to add on the country's economic growth (Operation Phakisa launched by the President during 2014);

b. *Application of effective system of governance:* The strategy will consolidate issues contained in the national development plan and national security priorities to give a better view of South Africa's national interest.

PROPOSED FURTHER RESEARCH TOPICS

The main purpose of the research was to evaluate the extent to which South Africa required a national maritime security strategy, and how such a strategy should be constructed. The study attempted to understand the current maritime security arrangements in terms of the roles and responsibilities of maritime security stakeholders and its challenges. The research recommends that South Africa should develop a national maritime security strategy. In that regard, the research also acknowledges that there are other areas that need further research of the phenomenon. The research recommend further research work to be conducted on the following:

a. *Evaluating basics of a national maritime security strategy*

The purpose of this research was to evaluate whether South Africa required a national maritime security strategy. The presented findings of this research supports the need for a national maritime security strategy. In order to gain more insides on what the said strategy will entail, further research to discussion the substance of the said strategy is required.

b. A pre-drafting process

In order for the strategy to be developed, the research recommends a pre-drafting process to take place. This recommendation is based on a paper produced by the Africa Centre for Strategic Studies (2016), which indicated that there were three assessments that should occur before a national maritime security strategy was drafted. These are the national self-assessment, the maritime domain assessment and national maritime security threats assessment. The purpose of these assessments would be to determine the pillars under which the strategy would operate under, such as governance, economic, environment, legal, information and military (2016).

c. Implementation of the strategy

The pre-drafting process would produce results for drafting the actual strategy, however further research must be conducted on how the strategy would be implemented. A research looking deeper into the state of the fragmentation and areas that might hinder on the implementation, mostly focussing on legal, governance systems and human resources.

REFERENCES

Africa Centre for Strategic studies, (2016). The process of national maritime security strategy development in Africa. Retrieved from http://africacenter.org/wp- content/uploads /2016/07/The-Process-of-National-Maritime-Security-Strategy-Development-in-Africa.pdf, on 13 March 2017.

Baker, D. (2012). The South African navy and African maritime security. *Naval War College* 65 (2), pp 146-165.

Balwin, D. (1999). The Concept of Security. *Review of International Studies.* 23, pp 5-26.

Baxter, P. & Jack, S. (2008). Qualitative Case Study Methodology: Study Design and Implementation for Novice Researchers. *The Qualitative Report*, *13*(4), 544–559.

Burger, C. (2015). What is maritime security? *Forthcoming in maritime policy.* Cardiff University. pp.1.

Bryman, A. (2012) Research design. *Social research methods*, 4th Edition. Oxford University Press.

Chen. Y. (2003). The new challenge of international transportation security. Stowaways and illegal migrates by sea to Taiwan. Taiwan. Institute of traffic and Transportation National Chiao Tung University. pp. 57-72.

Coelho, J. (2013). African approaches to maritime security. Southern Africa. *Peace and Security Series.* pp 5.

Defence Web. (April, 2014). What does ensuring SADC's maritime security mean for South Africa. Retrieved from http://www.defenceweb.co.za/index.php? option=com_ content &view=article&id=344 09:iss-what-does-ensuring-sadcs-maritime-security-mean-for-south-africa&catid=56:diplomacy-a-peace on 24 Defence 2016.

Doorewaard, C. (2015). The intricacies surrounding maritime piracy: lessons to be learned? Acta Criminologica: Southern African Journal of Criminology, 28(3), pp 63-76.

Department of Planning, Monitoring and Evaluation (2014). Unlocking the economic potential of South Africa's ocean. Retrieved no 16 November 2016. From http://www.operationphakisa.gov.za/Pages/Home.aspx.

Department of Transport, (2015). Strategic Plan 2015/2016 – 2019/2012. Government Printers.

Department of Environmental Affairs, (2017). Strategic Plan 2015/2016. Government Printers.

Department of Home Affairs, (2015). Strategic Plan 2015/2020. Government Printers.

Eisenhardt, K. M. (1989). Building Theories from Case Study Research. *The Academy of Management Review*, *14*(4), 532–550.

Fouche, H. (2014). Maritime piracy: editorial. Acta Criminologica: African Perspectives on combatting maritime piracy: special addition 1, pp, i-iv.

Fouche, H. (2015). Policing maritime borders: dealing with seaborne threats and transnational organised crime. *Servamus Community-based and security magazine*, 108, pp 46-48.

Fouche, H. (2014). Combating threats to security in Africa's maritime domain: opportunities and challenges. *Acta Criminologica,* 2, pp 114-129.

Fouche, H. (2006). Policing maritime piracy in Southern Africa: *Acta Criminologica*, 19(3), pp 180-194.

Gibson, J. (2009). Maritime security and international law in Africa: feature. *African Security Review*, 18(3), pp 60-70.

Haefele, B and Schoeman, M. (2012). Organised crime at sea: lessons learned from the Chizik Hijacking. Acta Criminologica, 25(2), pp 25-36.

Hill, J. (2015). Africa's maritime security – Part 2: and ACM interview with (retired) Col Marco Hekkens: Africa-wide – informed opinions. Africa Conflict Monitor, pp24-29.

Hatchful, E. 2008. Military Security of human security. *The African Union and its Institutions.* Fanele/Centre pf Conflict

Holden & van Vuuren, H. (2017). Arms procurement commission additional information. Arms Procurements Commission. Retrieved from http:// www.Ihr.org.za /programme Arms-procurement-commission/information on 20 January 2017.

International Maritime Organisation (IMO), (2013). Formalities connected with the arrival stay and departure of person stowaways. Facilitation Committee 38th Session (p. 3:4). London: IMO.

International Maritime Organisation. (2012). Guide to maritime security and the ISPS Code. *IMO Publication*. London.

International Maritime Organisation. (2016). Introduction to IMO. *IMO Publication*. Retrieved from http://www.imo.org/en/About/Pages/Default.aspx, on 20 January 2017.

International Maritime Organisation. (2017). Brief History of IMO. Retrieved from http://www.imo.org/en/About/HistoryOfIMO/Pages/Default.aspx on 25 March 2017

Institute for Security Studies Africa. (2014). Corruption in the Defence Force to get greater attention.

ICC International Maritime Bureau, (2016). *International Maritime Bureau*. Retrieved from https://icc-ccs.org/icc/imb on 24 December 2016.

Jernberg, L. (2015). Archiving maritime security in South Africa: Africa-wide – monitoring economies. *Africa Conflict monitor*, pp 22-27.

Joppe, M. (2000). The research process.

Kornergay, F and Royeppen, (2015). South and Sothern Africa and the Indian Ocean-South Atlantic Nexus: Strategic and Blue Economy Dimensions. Global insight a focus on current issues. pp.5.

Kok, N. (2015). Post-conflict development what South Africa can achieve through SADC. *ISS Institute for security studies*. Pp, 1-19.

Kings, S. (May, 2016). SA at sea over illegal fishing in its waters. *Mail & Guardian.* https://mg.co.za/article/2016-05-19-00-sa-at-sea-over-illegal-fishing-in-its-waters

Lautier, J. (2014). Is Southern African prepared to police its oceans? : Southern Africa – issue of focus. Africa Conflict Monthly Monitor, pp: 60-65

Leedy, P. and Ormrod, J. (2014) Practical Research: Planning and Design 10th Edition. *Pearson New International Edition*. New Jersey. Pearson Education.

Mouton, J. (2001). How to succeed in your Master's & Doctoral studies: *A South African guide and resources book*. Pretoria. Van Schaik Publishers.

Manganyi, C. (2012). Resurrection of the maritime capability in the South African Navy: The Maritime Reaction Squadron. *Scientia Militaria South African Journal of Military studies: Special Centenary issue*. 40(3). 429-471.

Mokoena, B. (2013). Report from the workshop policing to combat maritime crime. *Journal of African Union Studies*. 2(3&3), pp 31-35.

Maritime Zone Act, (1994). The Republic of South Africa. Retrieved from
http://www.gov.za/sites/www.gov.za /files/Act15of1994.pdf on 15 November 2016.

Merchant Shipping (Maritime Security) Regulations. (2004). Government Printers.

Meyer and De Vries, (2014) The role of Interpol in combating maritime piracy. African
perspectives on combatting maritime piracy.

National Maritime Security Strategy (2013). Presidency of the Government .Lamoncloa.
Retrieved from www.lamoncloa.gob.es/documents/20131333 estrategiadeseguridad
martima_ingls.pdf on 24 December 2016.

Naval Strategic Publication, (October, 2015). Ensuring Secure Seas: Indian Maritime
Security Strategy. Ministry of Defence (Indian Navy). Retrieved from
https://www.indiannavy.nic.in/sites/default/files/Indian_Maritime_Security_Strategy
Document_25Jan16.pdf, on 24 December 2016.

Neuma, W.L (2011). Social Research Methods: Qualitative and Quantitative Approaches.
Seventh Edition. Boston, MA: Allyn & Bacon. 18 Operation Phakisa. Unlocking the
economic potential of South Africa's ocean. (2014) Retrieved from,
fromhttp://www.google.co.za/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=
0ahU on 11 August 2016,

Newham, G. (February, 2013). Corruption in the Defence Force to get greater attention.
Institute for Security Studies Africa. Retrieved from https://oldsite.issafrica.org/iss-
today/corruption-in-the-defence-sector-to-get-greater-attention on 24 December 2016

Nieuwenhuis, J. (2007). Analysing qualitative data. First steps in research. Pretoria,
Van Schaik. P. 98-122.

Potgieter, T. (2013). Notes on regional leadership and maritime security. *Journal of African
Union Studies*. 2 (3&4), pp 65-77.

Potgieter, T. (2004). The secret South African project team: building strike craft in Israel,
1975-79. *Scientia Militaria South African Journal of Military studies*. 32 (2), pp 119-
145.

Potgieter, T., & Grundlingh, A. (2007). Admiral Elphinstone and the conquest and defence of
the Cape of Good Hope. *Scientia Militaria South African Journal of Military studies*.
35(2), Pp, 39-67.

Republic of South Africa. (1994). National Strategic Intelligence Act 39 of 1994

Roelofse, C. (2014). Comparative issues of piracy and terrorism on the west and east coasts of Africa with a focus on Nigeria and Somalia. Acta Criminologica: *African Perspectives on combatting maritime piracy*: Special Edition 1, pp 1-16.

South African History online (2017). The arrival of Jan Van Riebeeck on the Cape. *South African History on line*. Retrieved from. http://www.sahistory.org.za/dated event/first-1820-british-settlers-arrive-south-africa on 24 November 2016.

South African History Online (2017). South Africa and the United Nations. Retrieved from http://www.sahistory.org.za/article/south-africa-and-united-nations on 25 March 2017

South African National Defence Force. (2006). The Maritime Environment. Maritime Zones. Retrieved from http://www.navy.mil.za/SANGP100/SANGP100_CH02.pdf on 24 December 2016.

South African Police Service, (2014). Strategic Plan 2014-2019. Government Printers.

South African Defence Force. (2015). Department of Defence Planning Instrument (2012-2020) Containing the following: Department of Defence Strategic Plan. South African Government Printers.

The South African Revenue Service. (2016). Strategic Plan 2016/17 – 2019/2020. Government Printers.

State Security Agency, (2017). Mission Statement. Retrieved from http://www.ssa.gov.za/ on 24 December 2016.

State Security Agency, (1994). National Strategic Intelligence Act 39 of 1994. Retrieved from http://www.ssa.gov.za/Portals/0/SSA%20docs/Legislation/National%20Strategic%20Intelligence%20Act%2039%20of%201994.pdf on 24 December 2016.

Sylvester, J., & Seegers, A (2008). South Africa's strategic arms package: a critical analysis. *Scientia Militaria South African Journal of Military studies*. 36(1). Pp 52-77.

Tellis, W. (2007). Application of a Case Study Methodology. The Qualitative Report, 3(3). The Maritime Zone Act, 15 of 1994. Government Gazette (No. 16083).

The Blue Bird Marine System. The Indian Ocean. Retrieved from http://www.bluebird-electric.net/oceanography/indian_ocean.htm, on 24 December 2016.

The South African Revenue Service. (2016). Strategic Plan 2016/17 – 2019/2020. Government Printers.

The Constitution of the Republic of South Africa, (1996). Retrieved from http://www.justice.gov.za/legislation/constitution/saconstitution-web-eng.pdf. On 15 November 2016.

The UK National Strategy for Maritime Security.(2014). UK by Williams Lea Group on behalf of controller of her Majesty's Stationary Office. Pp 1-53

United Nations. (1982). United Nations Convention on the Law of the Sea. Retrieved from http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf on 26 March 2017

Venter, C. (2015). Finding the right technology solutions to secure our borders: defence: *ScienceScope,* 8(2) pp: 52-53.

Van Mil, J., & Henman, M. (2016). Terminology, the importance of defining. *US National Library of Medicine National Institutes of Health*. Retrieved from https://www.ncbi. nlm.nih.gov/pubmed/270730760 on 1 January 2017

Walker, T. (2015). Enhancing maritime awareness domain awareness in Africa. *Institute for Security studies.* Policy Brief. No 79.

APPENDIX A: RESEARCH QUESTIONNAIRE

Research guide

This interview questionnaire forms part of a research work which intends to evaluate whether South Africa require a need for a national maritime security strategy. The research is conducted as part of the study in Management in the field of security with the University of Witwatersrand. The data collected during this study will solely be utilized for university data collection purpose. The study will remain within the South African maritime security arrangement. All questions asked are in reference to the South African maritime security environment.

You have been selected in your capacity as an employee and subject expert on the topic of research together with other identified maritime security stakeholders. Your identity would be kept confidential in the research report. You are requested to answer and discuss the questions raised only in terms of your experience. I am requesting to have your permission to record and make detailed notes of our discussions (applicable of face-to-fate interview).

PART ONE

Name and Surname
Job title:
Organisation:
Scope of work:

PART TWO

2.1. Warmup Question
2.1.1 How long have you worked in your current position?
2.1.2 Does your job description including national maritime security issues?
2.1.3 Does maritime security form part of your departmental mandate?
2.1.4 If YES, provide the legislative mandate.

PART THREE

3.1 What is the meaning of national maritime security strategy conceptual framework?
3.1.1 In your own view what constitute national security?
3.1.2 In your own view what constitute maritime security?
3.1.3 In your own view what is maritime strategy?
3.1.4 In your own view what is national maritime security strategy?

3.2 Evaluating the current South African maritime security arrangement

3.2.1 At national level, which department/s or ministries have a national responsibility for maritime security?
3.2.2 At operational level, who are the stakeholders of maritime security?
3.2.3 Are the said maritime security stakeholders governed by a written protocol or legislation for cooperation on operations?
3.2.4 Is the current arrangement effective? What are the strategic challenges?
3.2.5 Does it require improvement? What do you think need to happen? (Elaborate)

3.3 Evaluating a need for a national maritime security strategy in South Africa

3.3.1 Do you think South Africa require a national maritime security strategy? Elaborate
3.3.2 How will South Africa benefit from having a national maritime security strategy?
3.3.3 Does the South African government have appropriate skills and resources to put together a comprehensive national maritime security strategy? Elaborate
3.3.4 How should the strategy be structure? Explain areas of importance that should be contained in the strategy
3.3.5 Which stakeholders should form part of the strategy?
3.3.6 What should be their responsibilities?
3.3.7 Should the strategy constitute state entities only or incorporate private maritime industry? Elaborate
3.3.8 Do you think South Africa is ready to have a national maritime security strategy?
3.3.9 Is there a national maritime security strategy you know about/ have seen it?
3.3.10 What lesson can South Africa copy from that particular strategy?

3.4 Governance of the national maritime security strategy

3.4.1 State how should the national maritime security strategy be governed?
3.4.2 At what level of governance should the strategy be governed, ministerial or parliament? Elaborate
3.4.3 Which department should be the custodian of the strategy?
3.4.4 State why is the said department suitable to be the custodian of the strategy?
3.4.5 Under which legal framework should the strategy be governed?
3.4.6 What existing measures can be incorporated to the strategy?
3.4.7 How will the establishment of the strategy benefit South Africa?