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## Maritime Security: Problems of Security Versus Safety Practices



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### Keywords

Maritime safety · Maritime security · Resilience · ISPS Code · SOLAS

### Definition

Overall, maritime safety encompasses the protection of ports, ships, and their communities against unintentional dangers and harms (e.g., storm at sea), whereas maritime security encompasses the protection of ports, ships, and their communities against deliberate dangers and harms (e.g., piracy). The two can be complementary or conflicting.

### Introduction

The safety versus security debate is persistent in any professional domain, whether that is in agriculture, policing, education, or IT (Line et al. 2006), and thus in the maritime industry as well.

Overall, “[t]he inability of the system to affect its environment in an undesirable way is usually called safety; the inability of the environment to affect the system in an undesirable way is usually called security” (ibid. 1). However, depending on the environments and systems themselves, as well as the damaging effects they can both have on each other, there can be numerous definitions of safety and security. The maritime safety versus security divide (if a divide at all) resembles the divide in other domains and is similar to the (definitional) issues that come along with it:

Maritime safety accidents are unintentional, while maritime security and piracy incidents are intentional. Maritime and piracy incidents differ in that the focus of the forms is damage to property and/or injury to individuals for political reasons while that of the latter is theft. Maritime safety accidents, security incidents and piracy incidents, however, may have the same outcomes – injuries and property damage. (Talley 2013, p. 1)

For a long time, the focus of ships was predominantly on safety, given the daily concerns of being at sea (e.g., sea storms, ship damage, etc.), which changed drastically after 9/11 but not easily resolved, as security required almost the opposite acts and equipment to the need for safety.

In this entry, key issues in the maritime safety versus security debates, and where problems may arise, shall be explored by giving a concise overview of the International Convention for the *Safety* of Life at Sea (SOLAS) and the International Ship and Port Facility *Security* Code

(ISPS Code). Furthermore, this entry explores the conceptual and practical ambiguity of maritime safety and security in the everyday of the maritime industry.

## Maritime Safety: SOLAS

SOLAS is an immediate legislative response to the sinking of the Titanic in 1912. It came into force in 1914 and brought about new obligations for particular ships to comply with, such as a minimum number of lifeboats and obligated specific safety equipment (Eski and Carpenter 2013). Ever since, SOLAS received many amendments, especially in the twentieth century. The Inter-Governmental Maritime Consultative Organization (IMCO), which has become the International Maritime Organization (IMO) since 1982, is the official body to deliver and update legislation for ships and ports to comply with SOLAS (ibid.). Several key topics are covered under maritime safety, including carriage of cargoes and containers, fire protection, navigation, radio communications and search and rescue, stability and subdivision, and the international and national safety regulations themselves (IMO 2018).

These days, the term “maritime safety culture” has gained popularity and is heavily promoted throughout the maritime industry by the IMO (Ek et al. 2014). The following is stated by the IMO on safety culture:

An organization with a ‘safety culture’ is one that gives appropriate priority to safety and realizes that safety has to be managed like other areas of the business. For the shipping industry, it is in the professionalism of seafarers that the safety culture must take root. (IMO 2012)

There is, however, no homogenous maritime safety culture, because the professionalism that is required of maritime professionals in ports and on ships “is determined by attitudes and performance, very often shaped by the culture of the shipping company” (Ek et al. 2014, p. 180), and these can differ also in maritime security practices and culture.

## Maritime Security: ISPS Code

A major amendment to SOLAS was the addition of a new Chapter ► “Special Measures to Enhance Maritime Security”, following a Conference of Contracting Governments to the Convention that was held in London in December 2002. It was done so due to the Twin Towers attacks which amplified security awareness significantly in the maritime industry, requiring, predominantly:

...the installation of automatic identification systems on ships, the need for security plans for ships, port facilities and off-shore terminals, the need to verify the identity of seafarers and the question of a secure ‘chain of custody’ for containers from their port of origin to their destination. (Von Hoesslin 2005, p. 1336)

Codifying the identified needs, the International Ship and Port Facility Security (ISPS) Code (IMO 2003) entered the maritime industry. It identifies and intensifies cooperation between a wide variety of public and private partners, ranging from the police to customs, to security companies and port authorities, all working together through multi-agency partnerships, in the name of “maritime security” to tackle, first and foremost, terrorism and maritime-related crime, such as drug trafficking, human smuggling, and cargo and container theft. The Code also aims to harmonize interpretation and implementation of SOLAS Chapter ► “Special Measures to Enhance Maritime Security”, and the ISPS Code throughout the world, as well as enabling the cooperating public-private maritime security and policing institutions to share information with each other, nationally and internationally. The Code has brought major differences to the maritime industry, in particular in regard to physical security, turning the once open port territory to an international zone that is closed off from the main public. It also introduced new roles which ships and ports had to fulfill as of 1 July 2004.

The ISPS Code consists of a mandatory part A that lists security obligations which ships and ports must be in compliance with and a recommendatory part B, although the part B provisions are practically as mandatory as part A is (Kim and Lee 2013, p. 283). The ISPS Code aims to

standardize the evaluation of security risks and to make sure that all ships and ports, in interaction with each other, “perceive and manage security threats through integrating local/domestic threat-levels into a global awareness-level” (Bichou 2004, p. 328). Still, there is room in the ISPS Code for variations in ship and port security settings (IMO 2003), as long as measures taken cause minimum interference to daily transport activities.

In line with standardization, new official security roles are mentioned that must be present (whereas official safety roles are not as clearly described), such as the ship security officer (SSO), the port (facility) security officer (P(F)SO), and a designated authority (DA). Moreover, there are different official documents, such as the Declaration of Security (DoS) that is established between the SSO and PFSO, or the Ship Security Plan/Port Facility Security Plan (SSP/PFSP), and the Ship Security Assessment/Port Facility Security Assessment (SSA/PFSA) that must be designed and approved for each ship and facility. These roles and documents ought to guarantee continuous development of maritime security (harmonization) through the identification of (threats to) critical infrastructure and any weaknesses in the maritime industry.

### **Maritime Safety Versus Maritime Security: Conceptual and Practical Ambiguity**

English is the maritime language, and thus, naturally, there is the complexity of different linguistic understandings of maritime security and safety (McNicholas 2016). Take, for example, the German “Sicherheit” (which could mean, next to safety and security, also certainty) or the Hebrew “bitachon” (which means security but also trust and faith) or the Dutch “veiligheid” (which means safety as well as security). Meaning differences between “security” and “safety” do not always exist linguistically; there can be more meanings of the words. Non-native English-speaking maritime professionals are thus forced to take over the English terminology, which may cause

communication issues, thus leading to different understandings and practices of maritime safety and security.

There are many more aspects leading to conceptual and practical ambiguity, even rivalry, between maritime security and safety. Given the long existence of SOLAS as international maritime safety legislation and the, in comparison with SOLAS, short existence of the ISPS Code, the current generations of maritime professional automatically are more maritime *security* focused, whereas previous generations have been more maritime *safety* focused.

Maritime security logic dominates the maritime industry since 9/11 and two attacks on US naval destroyers in 2000, the *USS The Sullivans* and the *USS Cole*, of which the latter was claimed by al-Qaeda (Metaparti 2010). Maritime security through the ISPS Code and its new security roles and rigid bureaucracy (Liss 2011) has been in particular focused on counter-terrorism, shifting the focus in the maritime industry from safety to security and making it seem as if security practices surpass safety practices.

Practically though, maritime safety still matters in everyday maritime professional life. Shipping crews, port workers, and the overall maritime professional population seem to have more safety awareness than security awareness as safety awareness is more naturally adapted to and thus more integrated into daily routine to effectively *support* daily routine. Maritime safety (awareness) appears more important as well because maritime security (awareness) is not as much a part of the daily routine as safety is: maritime terrorist attacks, the main focus of the ISPS Code, barely happen (Metaparti 2010). However, occupational hazards occur far more frequently, leading to safety awareness being significantly more integrated into daily routine, reflected in having to wear personal protection equipment (PPE), holding onto bars, and being careful with dangerous goods – security threats such as piracy, drug crime, or terrorism are far more invisible and rather alien to maritime workers, also security workers, in ports and on deck, resulting in professionals not taking

maritime security (awareness) as seriously as maritime safety (awareness) (Eski 2016).

Moreover, “What is maritime security?” as Bueger (2015) wonders. It is not as established as maritime safety but still “replaces or subsumes older, established concepts, as well as relates to more recently developed ones,” namely, “sea power, marine safety, blue economy, and human resilience” (ibid. 160). It indicates that safety is a part of maritime security, which is not necessarily experienced by the professionals in the maritime industry, leaving “maritime security” behind as buzzword with no definite meaning, and it merely “achieves its meaning by actors relating the concept to others, by attempts to fill it with different issues and by acting in the name of it” while “vary [ing] across actors, time, and space” (ibid. 163).

On top of it, the ambiguity of the two apparently different concepts can also blur both their practices, which further complicates operational realities on deck and at the docks. Right after the financial crisis and austerity policies hit port communities throughout the world, in particular from 2010 onward, port workers feared losing their job, not being able to sleep, while having to handle containers in cranes and vessel carriers for which they must be focused and awake and must comply with strict regimes regarding their working hours (Eski 2016). Due to the same fear of losing one’s job, these employees as “safety risks” can also become “security threats” because they might steal something or turn corrupt and assist criminal organizations that run illegal drug trafficking operations in ports (Eski and Buijt 2016). Both challenges must be dealt with security personnel, usually through different norms and rules; however, in reality, time and context can blur being a “safety risk” and/or “security threat” which may undermine maritime logistics (Cowen 2007).

The “safety risks” and “security threats” blur as well due to the ISPS Code’s focus on (counter) terrorism. Sometimes, it demands that entrees must be closed and secured, but due to safety regulation revolving around fire hazard, these points of access ought to remain open. At a petrochemical port facility, when an oil tanker is anchored, (extra) escape gangways are required to escape from a fire on board, but this conflicts

with ISPS Code regulation regarding gangways, as (extra) entries means having more possibilities for outsiders and threats to enter a ship. Or think of doors of a port facility being locked to minimize the security risk of cargo theft, but that should open as soon as a chemical gas of a dangerous good would spread itself. What prevails? Security of Safety? Or consider SSOs and PFSOs who take care of both safety-related issues, such as applying first aid, and of security issues, like stopping unauthorized individuals from entering a ship and/or a port facility. When letting authorities, such as the police or customs agencies, enter port facilities and ships to do security inspections, due to the principle of “safety first” and the different safety measures on board and on facility perimeters, these authorities are forced by an SSO or PFSO to wear personal protection equipment (PPE). It happens occasionally that the police and border control authorities that are tasked to keep a port secure are aggravated by and get into a conflict with PFSOs and SSOs who demand compliance with safety rules.

## Conclusion

In conclusion, although the ISPS Code is symbolically prioritizing the unclear concept and practices of maritime security over maritime safety, it is important to account for maritime safety practices as still being (much more) common in the everyday of the maritime industry. At the very least, there seems to be conceptual and practical ambiguity *between* and *because* of the two, which leads to rivalry at operational level that could result in serious damages (Knapp and Franses 2010). It could be interesting to have the two concepts integrated, without ignoring their (different) real effects, into what is being increasingly developed a framework of maritime resilience (Sauser et al. 2018).

## Cross-References

- ▶ [Maritime Security and Piracy: Effects of Armed Guards Onboard](#)

- ▶ [Maritime Security and Piracy: Incidents that Changed Procedures \(Captain Phillips Kidnapping 2009\)](#)
- ▶ [Maritime Security and Piracy: Ransoms and Insurance](#)

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