

AUSTRALIAN MARITIME DEFENCE COUNCIL

Navies have had a long relationship with their respective maritime industries and the Royal Australian Navy (RAN) is no exception. Naval capability cannot be built, maintained and supported without a strong industrial sector. This is well known, but there are other aspects to the RAN relationship with the maritime industry that are less well known, and this *Semaphore* examines the relationship with the shipping and port associations through what is now called the Australian Maritime Defence Council (AMDC). While its discussions are not classified, they are occasionally sensitive, so what follows focuses on administrative issues before providing a general outline of topics considered by the Council.

The antecedents of the AMDC go back to the early 1980s, when the Chief of Naval Staff, Vice Admiral Willis, RAN chaired a meeting between senior RAN officers and senior executives from Australian flag shipping companies on 8 April 1981 to discuss the need for regular meetings between them. The naval rationale for such meetings was to establish a framework for naval control of shipping operations in Australia during periods of tension or limited aggression. Oft forgotten now, the historical experience of the World War II *guerre de course* against merchant shipping informed global military planning during the Cold War where the protection of merchant shipping from naval attack was given a high priority.¹

At a subsequent meeting on 6 November 1981, hosted by the Australian National Line in their boardroom in Sydney, it was agreed there would be considerable value in creating an Australian Shipping Defence Council (ASDC) with a membership initially limited to the RAN and shipowners, and to representatives from the Department of Defence (movements and transport) and the Royal Australian Air Force (RAAF).

On 9 February 1982, VADM Willis sought approval from the Minister for Defence (Hon DJ Killen) to create the ASDC with the purpose

To provide liaison between the RAN and those who control and operate Australian merchant shipping in time of peace in order to plan for its safety and protection in time of threat, tension, emergency and war.

The Minister for Defence approved the creation of the ASDC on 25 February 1982 as a non statutory body with the Deputy Chief of Navy as its chairman, and its inaugural meeting was held in May 1982. Early membership from industry included the Australian National Line, BHP, Ampol Petroleum, Howard Smith Industries and TNT Bulkships. The Department of Transport requested membership on 22 June 1982 and this was approved by the Minister for Defence in August; under a variety of different names, the department has played an important role in Council deliberations ever since.

The actual details are difficult to discern after all this time, but there appears to have been some early concern over the ASDC by some areas in the Department of Defence, as the Chief of the Defence Force Staff, Air Chief Marshal McNamara wrote to the Chief of Naval Staff on 25 October 1982 to remind him of the need for discussions to remain within the general bounds of the council's remit, that discussions should reflect a departmental point of view, and that papers to be considered by the Council might usefully be distributed in the department prior to Council meetings.

Importantly however, it was recognised that the ASDC served a useful purpose and that over time it might wish to expand the scope of its deliberations.

By 1984, Council members thought there was little more they could discuss within their limited terms of reference, and that wider consultation was now necessary. Concurrent with these deliberations was the creation of an Inter-Departmental Working Group (led by Defence and Transport) to examine the coordination of maritime resources for use during hostilities and in emergencies. One of the tasks of this working group was to identify those areas where consultative arrangements and coordination were required to draw together matters concerning civil maritime resources to ensure their smooth transition for support to the Australian Defence Force should the need arise. Government departments involved in policy areas involving the civil direction of shipping included: Transport, Resources and Energy, Employment and Industrial Relations, Social Security, Administrative Services, Trade, Special Minister for State, Defence and Finance. As shipowners and the maritime industry would need to be consulted in a contingency situation, new terms of reference for the ASDC were prepared:

To provide liaison between the RAN and authorities who control, operate and coordinate Australian flag shipping and merchant marine affairs in order to advise on the civil direction of shipping and to plan for its control, safety and protection in time of threat, tension, emergency and war.

The Council deferred submission to the Minister for Defence of the amended terms of reference until the Working Group had issued its report and it had been considered by government. In the interim, the Department of Trade joined the Council on 9 August 1985.

In late 1989 the Council again discussed its terms of reference and thought it should be broadened, but by mid-1990 it decided that the draft Ministerial submission should not proceed as government deliberations over the national shipping industry were pending, which might influence its future membership and direction.

In mid-1993 the need to expand the membership of the Council was raised and on 6 September 1994, the Minister for Defence (Hon Robert Ray) approved a new charter and membership. The impetus for action on the terms of reference and membership were changes in Commonwealth administration and departmental structures, changes within the ADF and within the Australian shipping industry. The revised purpose of the ASDC was:

To provide a consultative forum for government and the Australian maritime industry to initiate and develop proposals for the provision of safety and protection of merchant shipping and Australia's maritime trade, and the provision of merchant shipping support to the ADF in time of threat, tension, emergency and war.

Although the Cold War 'ended' in 1991, there remained a residual concern over the protection of shipping, but the Department of Defence could see the necessity for using the civilian industry, where possible, to supplement its limited amphibious support for operations.

During discussions on 2 September 1997, the Council thought it might need to widen its membership, as changes in

the structure and organisation of the Department of Defence would change the manner in which it would operate in the future. Concurrently, the government initiated a Shipping Reform Group to examine the competitive gap between Australian and foreign owned shipowners involved in Australian trade. The ASDC proposed that the Australian Chamber of Shipping, Liner Shipping Services, the Minerals Council of Australia, and the Association of Australian Ports and Marine Authorities be invited to its next meeting.

The Council was advised at its meeting on 3 March 1998 of the creation of the National Support Division within Defence, which would focus on merchant shipping support as well as port access for Defence owned and chartered vessels, not only in situations of threat, tension and emergency, but also in peacetime.² This created a range of opportunities for more focused and beneficial discussion between Defence and the maritime industry, so the Council agreed the need for a strategic plan to guide its deliberations. While the aforementioned invitees would continue to attend meetings, there would be no changes to membership until the strategic plan was developed and agreed.

At its meeting on 17 March 1999, the Council endorsed its strategic plan (later called its business plan) and revised membership. It also recommended a change in its name to the Australian Maritime Defence Council (AMDC), to recognise the wider involvement of the marine industry, including liner shipping owners, the offshore industry, tug operators, ports, the stevedoring industry, and the decreasing role of Australian flag shipowners. The Minister for Defence (Hon John Moore) approved these changes on 17 May 1999, with the mission of the AMDC being:

To promote the partnership between the Australian Defence Organisation (ADO) and the Australian maritime industry and to facilitate the provision of effective advice and support to government on maritime issues in the interests of national security.

The strategic plan contained four goals with a number of associated strategies; the goals were:

- Provision of comprehensive and timely advice to government on strategic maritime policies and operational issues for the maintenance of national security.
- Enhancement of communication links within the AMDC and between the AMDC and other relevant organisations.
- Promotion of cooperation between the ADF and the commercial maritime industry for the purposes of Naval Control and Protection of Shipping (NCAPS).³
- Promotion of ADO access to maritime infrastructure and services.

In 2002, the Australian Ship Repairers Group became a member, providing a useful link for the development and maintenance of naval capability. With a progressive move to a 'whole-of-government' approach to policy issues, particularly national security issues, the newly created Border Protection Command was invited to join the AMDC in 2006, while the Department of Foreign Affairs and Trade and the RAAF resigned in 2008. From 2007 the Maritime Union of Australia was invited to attend meetings for specific agenda items, bringing a maritime workforce perspective to the Council, and became a member in 2009.

While national security remains the primary purpose of the AMDC, the biannual meetings also facilitate discussion of maritime issues that are of interest to both government departments and the maritime industry. Examples of the types of topics discussed at the AMDC include: implications

of archipelagic sea lanes to shipping, oceans resource protection, marine pollution, employment of women at sea, civil recognition of RAN training,⁴ law of the sea, piracy, shipping reform, port development and security, impacts of growing cruise shipping, and Defence access to and use of merchant shipping along with access to ports of strategic importance.⁵ The purpose of much of this discussion is to share information on issues relevant to all members of the Council, so all understand the dynamics of both the maritime industry as well as national security and ship/port policy issues from a government perspective.

From an operational and planning perspective, the AMDC provides a forum where policy matters related to port access by RAN ships can be raised with the ports' peak body (Ports Australia) and shipping representatives; this is particularly important for continued RAN access to commercial ports. Relevant ports are also advised of planned major bilateral and multinational exercises which may impact upon their activities, and the processes for active engagement with Defence as plans are refined.

For the ADO, the AMDC provides a forum for longer range planning and contingency planning. As examples, during 2000-02, it considered two reports prepared by the Bureau of Transport Economics that examined the shipping and port capabilities necessary to support Defence in a variety of contingencies.⁶ And beginning in 2003, there were detailed discussions over the implementation of the *International Ship and Port Facility Security Code*, and its impact on ports and RAN port access.⁷ Recently, the AMDC also noted implications of the Government's announcement, in September 2011, of major reforms to the Australian shipping industry.⁸ The AMDC is also one of the many bodies contributing to wider discussions on Australia's maritime domain and is important as it strengthens the ties the ADO has with other maritime bodies such as the AMSA Advisory Committee and the Australian Shipowners Association.

From its inception in 1982, the focus of the Council has evolved and expanded from a narrow 'protection of shipping' role, that enabled discussion between the RAN and shipowners; through a broader focus on the commercial shipping industry, associated government agencies and policies, including the support that could be provided to Defence in both peace and war; to a mature focus on the maritime industry and its relationship with 'government'.

Andrew Forbes

¹ See Andrew Brown, 'The History of the Radford-Collins Agreement', *Semaphore*, Issue 15, November 2007. The 1959 and 1967 versions of the Radford-Collins Agreement are printed in Andrew Forbes and Michelle Lovi (eds), *Australian Maritime Issues: SPC-A Annual 2006*, Papers in Australian Maritime Affairs No 19, Sea Power Centre - Australia, Canberra, 2007, pp. 47-67.

² The National Support Division was disbanded in 2001 with some of its functions incorporated into Industry Division.

³ In 2003, NCAPS became naval cooperation and guidance for shipping (NCAGS), in recognition that there were fewer Australian flagged ships that could be 'controlled', and then became maritime trade operations in 2004.

⁴ See Jane Landon, 'Civilian Accreditation of RAN Sea Training', *Semaphore*, Issue 13, August 2007.

⁵ See Andrew Mackinnon, 'The Strategic Importance of Australian Ports', *Semaphore*, Issue 16, October 2005.

⁶ The logistical support for INTERFET during 1999 came through commercial ports, impacting on commercial operations. AMDC members provided invaluable advice and support to Defence and other agencies during operation.

⁷ See Andrew Forbes, 'Maritime Security Regulation', *Semaphore*, Issue 3, February 2006.

⁸ See www.minister.infrastructure.gov.au/aa/speeches/2011/AS26_2011.aspx.

