



The most important factor ...

MISPERCEPTION

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RECOGNIZING THE ENEMY WITHIN...

- Biases
- Logical fallacies (paradigm traps)



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LOGICAL FALLACIES
Three examples...

1. Optimistic Fallacy



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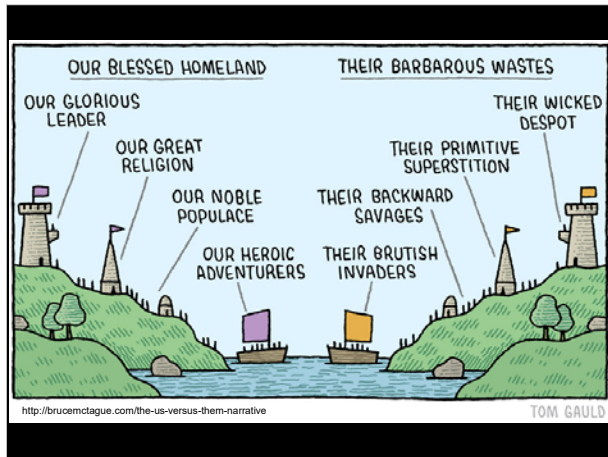
LOGICAL FALLACIES

1. Optimistic Fallacy

2. In-group / Out-group Fallacy



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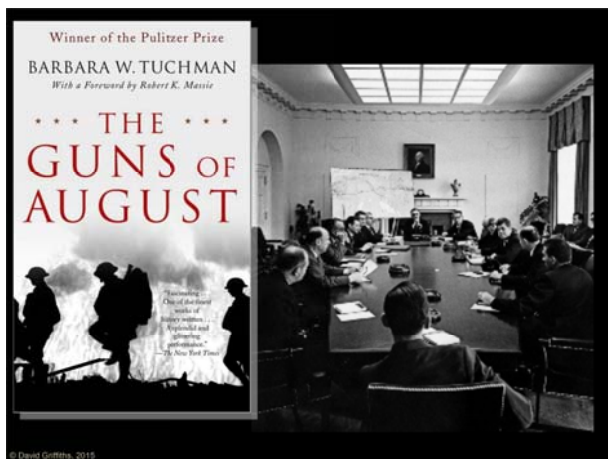




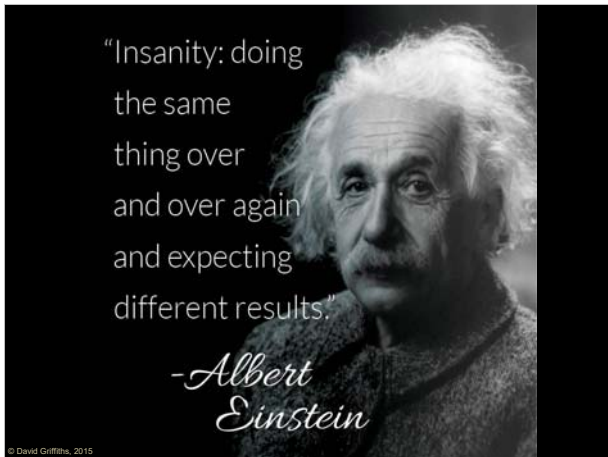
















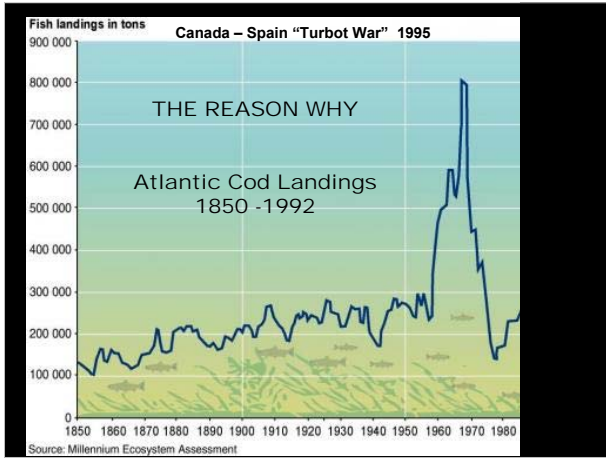


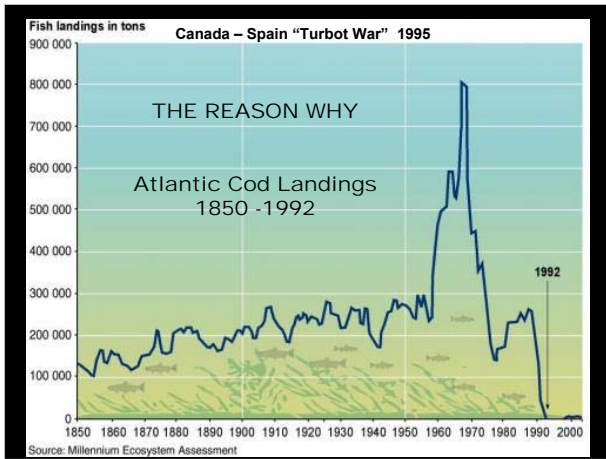


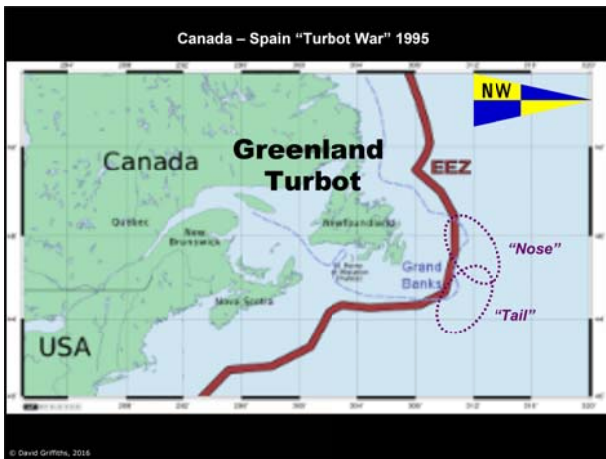




















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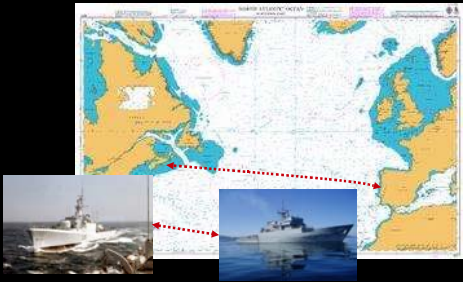


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3.
Communication
Tactical, operational and real-time




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INCIDENT MANAGEMENT
The Naval Experience

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**PREVENTING INCIDENTS AT SEA:
THE HISTORY OF THE INCSEA CONCEPT**
by Dr David Winkler
Afterword by David Griffiths and Peter Jones



<http://www.dal.ca/dept/cps/publications/preventing-incidents.html>

**PREVENTING INCIDENTS AT SEA:
The History of the INCSEA Concept**
by Dr David Winkler
With Afterword by
David Griffiths and Peter Jones

防止海上事故
——INCSEA概念的歷史



<http://product.dangdang.com/23795804.html>

NOTE:
Chinese translation of
"incidents" as "accidents"
事件 事故

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Sea of Japan 1967



Besslednyy - Walker

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Norwegian Sea 1968



Essex - "Badger"

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Mediterranean 1970



Ark Royal - Bravvy

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Innovative thinking ...

Moscow, October 1971



- Naval-led delegations
- Social tone and hospitality
- Personal connections

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Innovative thinking ...

Washington, May 1972



"Trust began with a lie"

(David Winkler)

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Innovative thinking ...

Washington, May 1972



- Disneyland
- Events in Vietnam

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INCSEA in Action

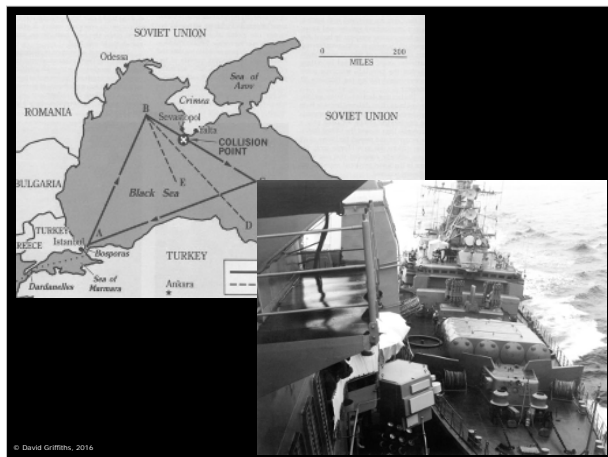
- Yom Kippur (Ramadan) War (1973)
- Afghanistan (1979)
- KAL Flight 007 (1983)
- The Minsk-Holt Incident (1984)
- Black Sea (1988)

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BLACK SEA 1988



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Annual consultation leading to...

1989 "Jackson Hole" Agreement

*"Uniform Interpretation of Norms of International Law
Governing Innocent Passage"*

INTERNATIONAL LAW GOVERNING INNOCENT PASSAGE
IN THE TERRITORIES OF STATES

1. The United States of America and the United Kingdom of Great Britain and Northern Ireland (the United Kingdom) have agreed to the following interpretation of the provisions of Article 19 of the United Nations Convention on the Law of the Sea (the Convention) relating to innocent passage.

2. The United States and the United Kingdom have agreed to the following interpretation of the provisions of Article 19 of the Convention relating to innocent passage in the territorial sea of the United States and the United Kingdom.

3. The United States and the United Kingdom have agreed to the following interpretation of the provisions of Article 19 of the Convention relating to innocent passage in the territorial sea of the United States and the United Kingdom.

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10. The United States and the United Kingdom have agreed to the following interpretation of the provisions of Article 19 of the Convention relating to innocent passage in the territorial sea of the United States and the United Kingdom.



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Other INCSEAs with USSR / Russia

- United Kingdom (1972)
- Canada, France, Germany, Italy (1989)
- Netherlands, Norway, Spain (1990)
- Greece (1991)
- Japan (1993)
- South Korea (1994)
-
- Turkey (negotiated but not concluded)
- Portugal (negotiated but not concluded)

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Other Bilateral Experience

- Germany – Poland (1990)
- Greece-Turkey (1988)

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Indian and Pakistan

Lahore MOU 1999 ... but ...

Indian Ocean 2011



© David Griffiths, 2016 Babur - Godavari

Track Two

*"Confidence and Cooperation
in South Asian Waters"*

2001 - 2016



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China - U.S.

*Military Maritime Consultative Agreement
(MMCA)*

1998

*An agreement on mechanisms for regular consultations
on broader maritime cooperation, including on ways to
avoid "accidents"*

MoU regarding

*Rules of Behaviour for Safety of Air and
Maritime Encounters*

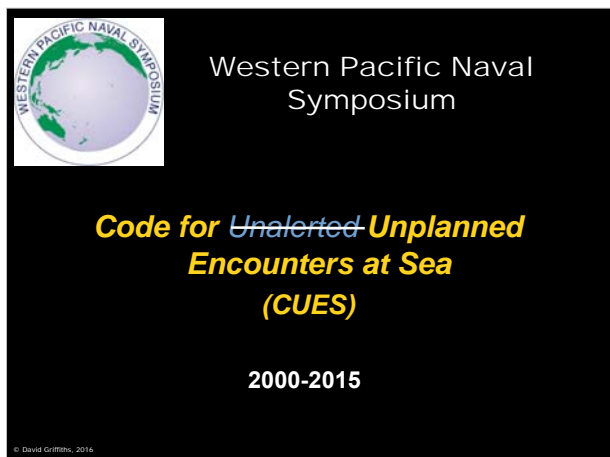
2014

*Annual professional consultation and a "whole of
government" provision*

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Challenges of
Multilateral
Approaches

Swedish (1989) and
Russian (1990)
Proposals

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Malaysia – Indonesia
2001

*"MALINDO Prevention of Sea Incident
Cooperative Guidelines"*



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Middle East Peace Process
1993-1995

*"Guidelines for Operating Procedures for Maritime
Cooperation and Conduct in the Prevention of
Incidents on and Over the Sea in the Middle East"*

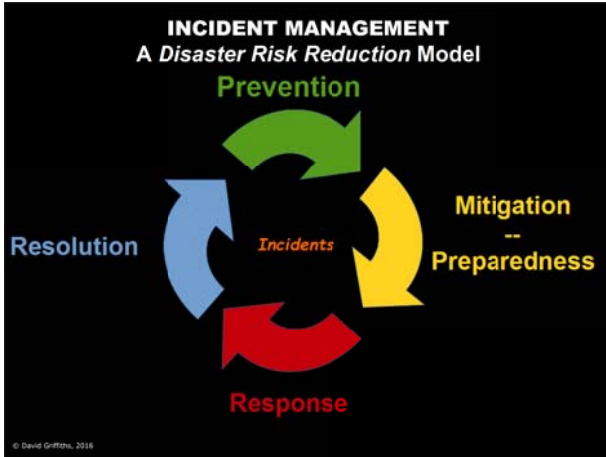


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SUCCESSFUL
MULTI-NATIONAL
"WHOLE-OF-GOVERNMENT"
INCIDENT MANAGEMENT

- Operational Focus
- "Political Space"
- Transformational Process

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1. Operational Focus

- "Sailor made" – a practical arrangement made by operational professionals (*not a treaty*)
- Simple – focused on safety and not complex coordination of operations
- Frank, honest and private (*not an opportunity for posturing, either publicly or in private*)

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2. "Political Space"

- In the national interest
- **Strategic:** Reduces political risk and advances political objectives
- **Operational and Tactical:** Enables on-scene commanders to achieve government objectives with less risk of unintended consequences

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3. Transformational Process

- The product is not a document, it is a transformed relationship
- A process that enhances trust through accountability and verifiability
- The spirit is even more important than the words

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***"If it does not work under adversity
it's not worth the paper
it's written on"***

Rear-Admiral Ronald Kurth

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Three Principles

- Cooperative incident management is a political imperative
- Arrangements must be made by maritime professionals within approved “political space”
- The spirit of the relationship is more important than the paper



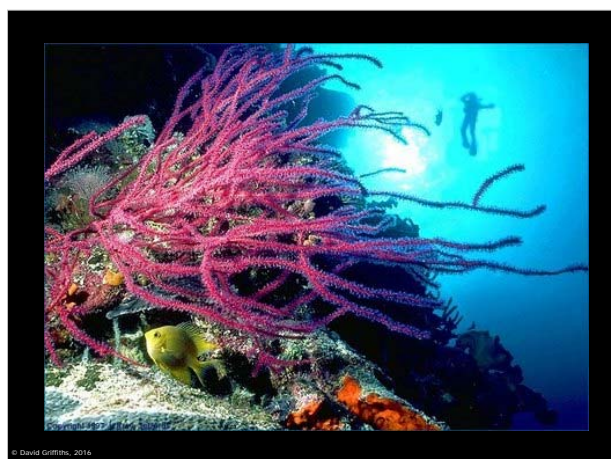
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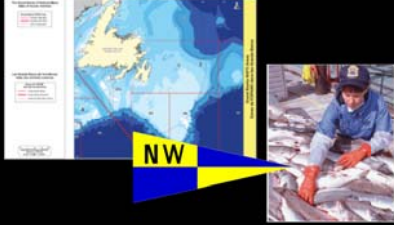






Regional Fishery Bodies (RFBs)
(Like APFC)

Regional Fishery Management Organizations (RFMO)
(Like NAFO)



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INCIDENT MANAGEMENT

RESOURCE MANAGEMENT

PERSONAL CONTACT

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"It is easier to negotiate by telephone with someone you have met face-to-face"

Michael Morris



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