

論 文

## Issues and Vision of Korea Maritime Police<sup>+</sup>

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海洋警察의 과제와 발전

이 상 집

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### Abstract

The argument about enlarging or limiting the function of the Korea Maritime Police Agency (KMPA) has been and will be repeated.

In this paper, the author highlights the internal and external issues facing KMPA, stemming partly from deficiencies of its struggles for advancement of the organization and partly from shortcomings of political support for it.

And he urges KMPA to change the organizational culture for maintaining its identity and characteristics as a lead maritime agency by practising a scientific management system for maximizing cost-effectiveness of its administrative resources.

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In addition, he also suggests that KMPA adopt the Total Quality Management System for quality improvements in services and greater efficiency in its organizational structure to meet the future competition in the changing political and legal environment.

He concludes by providing a 6-point vision statement for KMPA from the standpoint of favoring enlarging the function of KMPA.

## I. Introduction

The Korea Maritime Police Agency (KMPA) began in 1953 as the Maritime Police Detachment, a section in the Ministry of Home Affairs. Its mandate then was to protect marine fishery resources from over-fishing by neighboring countries. The KMPA has been housed in various ministries, including the Ministry of Commerce and Technology, and the general police agency. Since 1996 the KMPA has been located in the Ministry of Maritime Affairs and Fisheries (MOMAF).

The mission area of maritime policing has been constantly expanded over the years beyond law enforcement to include such services as maintaining aids to navigation, control of oil pollution, search and rescue, and other duties.<sup>1)</sup>

From this historical background spring two quite different perceptions of the KMPA role: one favors limiting the function, confining the maritime police mission to law enforcement at sea; and the other favors enlarging the function, so that they may conduct any on-scene administrative service, in addition to traditional policing.

The theory of enlarging the maritime police function has been known to be quite convincing since the campaign against the proposal to abolish the MOMAF was made in 1998. In the dispute over the choice between retention and abolition of this Ministry, the advantages of integrating all the ship-based missions into a synergistic whole had appealed to the politicians.<sup>2)</sup>

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1) The Korean government established the MOMAF on Aug. 8, 1996, merging the Maritime and Ports Administration, the Fisheries Administration, the Maritime Police Agency, and other marine-related authorities previously scattered among 10 governmental organizations. The main functions of the MOMAF are: Development and integration of marine policy; Enhancement of shipping industries and safety of ships; Port development and operation; Sustainable development of fisheries; Protection of marine science and technology; Conservation of the marine environment. - Hong, Seoung-Yong, Vice Minister of the MOMAF, Keynote Speech: 'New Shaping Korea Marine Policy toward the 21st Century', International Symposium on A Prospect of Ocean Science and Technology in the 21st Century, Korea Maritime University, Oct. 28, 1999

2) Around the end of January 1998, as a procedure of sailing preparation for the current Kim Daejung Government, the Government Organization Restructuring Committee proposed that the MOMAF, then only eighteen months old, should be abolished. Standing against that proposal, Lee Sangjib pointed out the following: Advancing the MOMAF is the best way to build a 'lean and mean' maritime administration with reduced cost and reduced duplication. The MOMAF is just in the position to chemically integrate spilt agencies into a synergistic whole so as to meet future requirements. Retaining the MOMAF is the only way to respond to the radically changing international maritime environment by attracting national supports. The MOMAF is a strong agency to encourage the development of maritime and ocean industries. The MOMAF is the only instrument to implant maritime-oriented culture. - Daily newspapers, on Maritime News on 4th, and on Hankaerai Paper on 9th of Feb., 1998.

They have recognized the realities that, as long as over 450 administrative ships are operated segmentally by different agencies such as the custom offices, fishery patrol offices, and maritime related agencies other than maritime police, counter-productiveness and inefficiency of administrative resource management grow deeper and both deficiency and duplication of services cannot be reduced. And they have accepted the practicabilities that those dysfunctions of the current management can be rectified only by improving rather than abolishing the MOMAF. If this enlarging function theory is adopted in accordance with the aforementioned suggestions, the KMPA has to be ready to provide a full range of services as a lead agency, in addition to its traditional policing role.

In this context, this paper aims to deal with issues facing today's KMPA and to design a vision statement for its future. And it emphasizes that to cope with the demanding disputes about the planning of maritime related governments' restructuring programs, it is inevitable for the KMPA to make endeavors to change its organizational culture so as to take initiatives to meet future requirements rather than resting content with their current state. The information is based on the references cited, interviews with stakeholders in the maritime

fields and group discussions with maritime police officers while they were in the in-service training courses offered by Korea Maritime University.<sup>3)</sup>

## II. Some environmental factors pressing maritime police to change

1) The traditional polarized police concepts of the Continental and English Law systems have been transformed into a single one, which has adopted the merits of both systems and come to address the strongly contrasting nature of humanitarian and law enforcement services.<sup>4)5)</sup>

2) The changes in the international maritime legal system, such as the entry into force of the UNCLOS in 1994 and the promulgation of the Korea 200-mile EEZ, have radically expanded the mission of the KMPA.<sup>6)</sup>

3) Government downsizing programs seems to continue because of the financial pressure exacerbated ever since the IMF economic crisis of 1997<sup>7)</sup>. Hence, the functions and missions of existing government agencies will be scrutinized. This in turn is likely to lead to the argument that the KMPA should be one of the targets to be merged.

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3) Since 1998, Korea Maritime University has been offering in-service training courses to maritime police officers specially designed to enhance maritime science and engineering, and foreign language abilities.

4) Japan has a typical type of police compromised between two different systems. Jung Jin-hwan, Police Administration, p. 82, 1998

5) Humanitarian services; responding to environment, combating oil pollution, conducting search and rescue, operating aids to navigation, etc. Law Enforcement Services; interdicting drug smuggling, transport of illegal aliens, illegal raiding of fisheries and mineral resources, and combating terrorism, etc.

6) The UN convention on the Law of the Sea entered into force on Nov. 16, 1994, and Korea EEZ Act entered into force on Sept. 10, 1996.

7) In 1997 the Korean financial crisis was caused partly by the contagion effect from the currency crisis in Southeast Asia which spilled over to Korea, and partly by the outdated Korean financial system which was shaken by the outside crisis. To ride out that financial crisis, government called for some 45 billion Dollars of IMF rescue funds, while taking charge of details of industrial restructuring.

4] Diminishing military tension on the Korean peninsula encourages the proposal that ROK Navy become an ocean-going Navy, which is required to maintain aircraft carriers. Accordingly, the Navy will make efforts to attract more financial support by offering humanitarian services such as environmental

response and search and rescue, even at the cost of shrinking missions of the KMPA.<sup>8)9)10)</sup>

5] More worrisome than anything, there is, among other nations, no such large size maritime agency, equivalent to the KMPA, except in the cases of USA, Canada, and Japan.<sup>11)12)</sup>

- 8) Specific tasks associated with the constabular role include maritime surveillance and patrol, search and rescue, fisheries protection, hydrographic surveying, combatting drug smuggling and piracy, and controlling illegal immigration. Although, in most instances, a navy in performing these tasks is acting in peacetime on behalf of another agency of government, it usually makes good sense that the navy should do this because it has the ships and expertise available for the task, .....[Sam Bateman, The Changing Role of the Navy on a New World Order, Proceedings of the 4th International Sea Power Symposium on Korea's Sea Power and National Development in the Era of Globalization, Sejong Institute, p15, 1995]
- 9) The majority of the world's navies exist to conduct functions in coastal or contiguous sea areas. Many navies in Asia (eg Thailand, Malaysia, the Philippines), almost all the navies of Africa (eg Nigeria, Ghana, Guinea), the Middle East (Saudi Arabia, Kuwait), many Latin America and Caribbean navies (eg Barbados, Honduras, Mexico), and navies from countries such as Iceland are not blue water, power projection navies, but regional navies that also enforce laws, protect resources, conduct search and rescue, prevent environmental damage, and maintain aids to navigation.[ B. B. Stubbs, The US Coast Guard, A unique instrument of US national security Marine Police. 1994 (6) 506-520
- 10) It may be a rational way ahead to turn Navy's intelligence, surveillance and reconnaissance assets into the operation of protecting marine environment. After the unification of Korea, this has to be initiated by Navy.[Lee Sang-don, 6th Warship Board Seminar on the New Order of the Ocean and Navy's Issues, Sea Way Institute, 1997, p103]
- 11) Many navies in Asia, almost all the navies of Africa, the Middle East, many Latin America and Caribbean are not ocean navies, but regional navies that also enforce laws, protect resources, conduct search and rescue, prevent environment damage, and maintain aids to navigation. With the exception of their combat or national defense duties these navies resemble the US Coast Guard in everything but name - BB. Stub, The US Coat Guard, Maritime Policy, 1994(6) 506-520.  
Some countries (Australia, UK, Italy, Norway, Sweden, etc.) are also found to use their navy resources flexibly for the purpose of humanitarian services at seas.
- 12) Comparing Resources of Coast Guards

Coast Guard	Personnel	Ships	Aircraft
US Coast Guard	35,000	2 Polar class icebreaker(9,000G/T) 10 Icebreaker(500 - 3,000G/T) 33 Cutters(1,000 - 2,000G/T) 101 Buoy tender(100 - 1,000G/T) 45 Inland construction(200 - 700G/T) 89 Patrol boats(200 - 300G/T) 11 Tug boats(200G/T)	71 Aircraft 146 Helicopters
Canadian Coast Guard	6,500	25 Navaid Tender/Icebreakers 32 Search and Rescue Cutters 3 Hovercrafts	18 Aircraft
Japan Maritime Safety Agency	12,000	14 Cutters(Above 2,000G/T) 34 Cutters(Above 1,000 tons) 47 Patrol boats(middle class) 347 Patrol boat(small class) 73 Navaid Tenders 16 Observatory Ships	26 Aircraft 44 Helicopters
Korea Maritime Police Agency	8,400	9 Cutters(Above 1,000G/T) 44 Cutters(Below 1,000G/T) 178 Patrol boats	9 Helicopters

6] Critics outside the KMPA, including some other government agencies and stakeholders such as maritime related associations may propose to dismantle the KMPA and transfer its duties to agencies such as Navy, Maritime Safety Office, Fishery Patrol Office, etc.<sup>13)</sup>

### III. Issues facing the Korea Maritime Police Agency

#### 1. Inherent Issues to be solved by maritime police

1] Building a separate identity as a unique maritime police in a developed society by specializing functions.

Maritime police are required to maintain their unique nature which includes a strong contrast in missions, such as humanitarian services on one hand and law enforcement operations on the other. But they are seemingly hesitating to take initiative to be responsible for the needs of the citizenry by extending humanitarian services because they are in deeply imbued with the fixed notion that uniformed personnel should not provide such sundry services. In this respect, they may take lessons from the U.S. Coast Guard, where even uniformed military personnel provide a wide variety of humanitarian services.

In addition, they must prepare to operate the fleet in a multi-mission way so as to save time and money, and to reduce both service-vacuum and overlapping functions. For instance, while overseeing fishery boats, they must be able to deploy an oil containment boom to protect the

marine environment as well as to rescue distressed mariners.

They have to build KMPA's own identity by proving the advantages of this multi-mission fleet management policy, so that KMPA's flexible resources for a wide mix of mission capacity will be the key element considered in framing a plan to further consolidate the still-segmented maritime agencies in the future.

2] Maximizing cost-effectiveness by applying scientific management systems

Unlike any other case of the administration, maritime police operate ships, helicopters and highly sophisticated equipment and maintain a state of readiness for 24 hours throughout all kinds of weather. And as they perform their duties in unseen ways and places, it may seem very difficult to quantify the effectiveness of their services. Therefore maritime police have to introduce scientific management systems so as to optimize the deployment of resources.

Total Quality Management (TQM) may be a very effective tool to refocus the government's mission as servants of the citizenry delivering higher quality services. And adopting TQM will, in itself, be an occasion for maritime police to declare overtly their commitment to accomplishing all their assigned missions at a reasonable cost.<sup>14)15)16)</sup>

3] Elaborating missions for implementation

According to the law of the police, which maritime police also are quoting, police are to

13) It can be anticipated that the Korea Maritime Agency face such a crisis, reviewing the historical fact that even the 210 year old U.S. Coast Guard was once harassed with the threat of dismantling proposed by outside critics, in a whirlpool of downsizing government agencies in the 1990s -- Susan Rosengrant, Harvard University, for use by the National Security Program, funded under US Department of Defence, 1993, p.2

serve for preventing crime, interdicting and seizing of criminals, escorting VIP, combating terrorism, collecting and disseminating of information, and assuring public safety and security. But the range and scope of these missions are not stipulated in details. And some of them are defined so ambiguously that the application of law may appear to be wanting in consistency.

Directions, guidelines and interpretations for maritime police are designed to address regulatory services rather than humanitarian and operational ones. This lack of precision and concreteness may ultimately result in big gap and lag between the requirements of Korea's citizenry and the services offered to them. Missions and duties have to be stipulated elaborately, and jobs have to be defined in details so that rules, regulations and manuals may be useful, and assist officers to perform their routine work. U.S. Coast Guard officers have their missions and duties described through 25 chapters in U.S. Code Title 14, and their manuals comprise 10 volumes which elaborate a whole range of processes such as regulatory, operational, humanitarian and law enforcement services.

#### 4) Encourage technology-oriented administration culture

Unlike general police, maritime police must have both technical and legal knowledge, because they are exposed to natural dangers and operate the highly sophisticated and expensive resources in the course of their work. Therefore they must have good awareness of ship's operations, ocean science and engineering, shipping and fishery and international maritime relations, in addition to the knowledge of law required for general police functions.<sup>17)</sup>

But most maritime police are primarily social science-oriented, i.e. legalistic. With such a lopsided structure of human resources, they can neither expand the humanitarian services, nor meet the administrative needs of the digital-network society.

What is worse, the current promotion examination programs are dominated by social science-oriented items such as criminal and administrative laws. With such a lopsided examination programs, it is almost impossible for science and engineering-based personnel to be promoted as professional administrators. This

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- 14) We will be an organization that epitomizes TQM. We will gain recognition as the employer of choice for a diverse workforce which streamlines its infrastructure and reduces administrative costs, along with the rest of the federal government while maintaining essential services to the public, especially those that related to safety[R.E. Kramek, USCG, Introduction to Commandant's Direction, May 26, 1995]
  - 15) The Government is committed to providing the services expected by the American public in the most effective and efficient manner possible, and the Coast Guard is widely recognized as being one of Government's most efficient organizations[Report of Interagency Task Force on Coast Guard Roles and Missions, Dec. 3, 1999, p102]
  - 16) The Coast Guard reduced its force, military and civilian, by more than 5,000 people during 1994-98, to the same level that existed in 1967. Whether called 'rightsizing' or 'downsizing' the impact on the workforce was extreme. No tasks were eliminated, no missions were reduced[H.B. Thorsen, The Coast Guard in Review, Proceedings of Naval Institute, May 2000, p95]
  - 17) The Maritime Police Course in Korea Maritime University was established in 1993, aiming at developing maritime police officers equivalent to coast guard officers with maritime science and engineering-oriented knowledge and skills. But to bridge between the current legalistic maritime police culture and future requirements, the new curriculum of this course was designed to balance evenly between social and engineering studies.

causes the shortcomings and deficiencies of professional capability in the KMPA even with a full roster of general administrators.

So the KMPA has to enlarge the opportunities of education for its personnel and open the door of promotion for science and engineering-based officers.

5] Be proactive to reduce the gaps between regulations and on-scene activities by paying attention to the inputs from hands-on experience

It has been taken for granted that most general administrators are to sit back and wait for things to happen, rather than take initiatives to maintain a state of readiness against foreseeable events. And while they delegate on-scene and complicated technology-oriented missions to the civilian professional associations, they seek to enjoy power and authority and to oversee the results without any awareness about real working mechanisms.

With such a sit-back attitude among general administrators, the gaps between regulations and on-scene activities will inevitably be amplified. Maritime police have to try to reduce these gaps by giving much more weight to the inputs gained from hands-on, practical experience.

The U.S. Coast Guard 'Prevention Through People' (PTP) program will be a good example,

where coast guard personnel make efforts to prevent marine accident by focusing even on near-accidents as well as those that have actually occurred. The PTP's goals are stated as five "mores": "know more, train more, do more, offer more, and cooperate more" with the principles, 'honor the mariner, seek non-regulatory solution, and share the commitment'.<sup>18)</sup>

Particularly, it is noteworthy that uniformed Coast Guard officials sometimes function as company employees to gain awareness about what is going on the process of industry's activities associated with high potential for accidents.<sup>19)</sup>

## 2. Issues to be solved by political dimensions

1] Intensive financial support for modernizing fleet and equipment

The range of maritime police service's missions has expanded radically; they must oversee the 200-mile EEZ and combat ever-increasing illegal activities at seas. But the current outworn ships and outdated equipment do not meet the needs of such on-scene missions. Such outworn ships are inadequate for maritime police to pursue other vessels and they are inconvenient for onboard servicemen to live on.

18) Giving attention to the fact that about 80% of all accidents have their root cause in the human element, a PTP Quality Action Team was chartered by the U.S. Coast Guard in 1994 to develop a long-term strategy to rebalance the safety equation by refocusing prevention efforts on casualties caused by human error. Essentially, PTP is a view that looks for safer operations and environmental protection with a constant focus on the people of the marine community, with a cooperative effort to reduce deaths, injuries, and pollution [Prevention Through People, Marine Safety and Environment Protection, USCG Organization]

19) As a result of outstanding leadership, a new era of cooperation As a part of the Prevention Through People initiative, partnership agreements have been signed with the American Waterways Operators, the Passenger Vessel Association, and the American Petroleum Institute. Borrowing from the Total Quality Management culture, teams with members from both the regulators and the regulated meet and work together to focus on existing problems that may be resolved without the need for additional regulations[H.B. Thorsen, The US Coast Guard, Proceedings of Naval Institute, May 1997, p.103]

Onboard servicemen become too demoralized for us to expect any suggestions, ideas, initiatives or creativities from their hands-on experience. So intensive financial support must be given to replace the existing ships and equipment with the modernized ones.

2) Building an omnibus law for elevating the social status of maritime police

Comparing the intensity of missions and the size of budgets of maritime police with those of general police, it can be proven to be true that the maritime police have been treated in an unfair way in promotion by being assigned ranks lower by one degree than the ranks awarded in the general police agency.

To make matters worse, in the middle of 1998 the steering committee of the MOMAF attempted to eliminate the police estate from maritime police. This was because the steering committee realized that the estate difference between maritime police and the MOMAF's civilian officials has been one of the biggest impediments to both advancing the KMPA and merging segmented maritime related missions further. But that attempt was deadlocked by the strong

resistance of maritime police.<sup>20)</sup> To prevent the recurrence of such consuming argument, an omnibus law for maritime police, as in the cases of U.S. Coast Guard and Japan Maritime Safety Agency, has to be built so that the KMPA officers can enjoy adequate social rank. They would then be positioned to take initiatives to advance the whole organization by performing their missions with renewed energy and a positive attitude.<sup>21)</sup>

3) Restructuring the government agencies toward maximizing the use of the current administrative resources

The future government restructuring plan for the maritime agencies would be designed to focus on maximizing the use of maritime police resources because of the high cost-benefit. In this regard, currently spilt missions, such as operating revenue cutters, conducting fishery patrols, managing inland waterways, etc. have to be also consolidated. Therefore, political efforts should be made to merge all the fragmented on-scene missions into the KMPA.

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20) As the MOMAF comprised 10 different government organizations, the effectiveness of synergistic whole stemming from chemical merging could be far behind the expectation of the citizenry. In an effort to improve this situation, steering committee of the MOMAF attempted to forfeit police estate from maritime police in an expectation that removal policing power authority would lead to chemical merging of missions in the family of the MOMAF. But that was thwarted by the resistance of maritime police. By holding seminar and by writing essay about the arguments, Lee Sangjib became one of the influential opinion leaders of the opposite standpoint, as follows; It is inevitable for maritime police to have both powerful authority and heavy responsibility for fulfillment of their missions, partly because of the strong nature with extremely contrasting missions, and partly because of expanded missions due to the radical change of international maritime regime. It is not necessarily essential to unify the estate of personnel within an organization because a complex organization, such as U.S. Coast Guard, combining military and civilian officials, seems not to have disadvantages. - Seminar on the Advancement of Maritime Administration in Korea, Sept. 30, 1998, and New papers Maritime Paper on July, 30, 1998 and Saekye Paper on Aug. 31, 1998.

21) Both U.S. Code title 14 Coast Guard and Japan Maritime Safety Agency Law stipulate comprehensively organization, functions, missions, duties, personnel management, etc. of their agencies.



#### IV. Concluding remarks and vision statement

Most maritime police in Korea seem not to be happy to expand their functions beyond the narrowly defined law enforcement operations, to include science- and technology-based humanitarian services such as protecting the environment, combating oil pollution, and so on. They are deeply imbued with the fixed notion that they are not the right people to provide those services, simply because their social status is the police estate, uniquely backed up by police law. This is not agreeable to the desires of the citizenry because of the following:

1] They have to adjust themselves to the evolution of social status; the police concept has changed, and humanitarian service suppliers at sea now include both civilian officials and even uniformed military personnel.

2] They have to meet the radically expanded range of maritime policing requirements caused by the entry into force of the UNCLOS and the promulgation of the Korea 200-mile EEZ.

3] They have to cope with the outcome of the unforeseen conflicts stemming from pressures of restructuring to achieve 'lean and mean' government agencies.

4] They have to be alert against increasing criticism of outsiders, such as safety management and fishery patrol officials, who would be eagerly eyeing jobs handled by maritime police, if the diminishing military tension of Korean peninsular encourages the ROK Navy to become an ocean-going Navy, offering humanitarian services with the purpose of attracting more financial

support.

Taking into consideration these factors, the Korean maritime police must rectify their inert and complacent attitudes, and overcome their reluctance to adjust in timely fashion to changes in their environment. From this standpoint, this paper outlines a 6-point vision statement for the Korea Maritime Police Agency (KMPA), as follows:

1] Clarify KMPA's role as a lead maritime agency, meeting on-scene needs in a wide variety of maritime activities by maximizing the efficiency of high-cost and technology-intensive resources.

2] Build KMPA's unique image as a comprehensive organization of police and professionals, by demonstrating the comparative advantage in capitalizing on multi-mission resources.

3] Be an exemplar as 'lean and mean' government agency, providing better service to the public with reduced cost and facilitated procedure by way of adopting advanced approaches, such as multi-functional fleet operating system, TQM, and PTP.

4] Be proactive in offering service before it is required, by practising the catch phrase 'leave all on-scene maritime administrative services to us', and seeking non-regulatory solutions for preventive, rather than reactive action.

5] Justify the social and financial support KMPA requires through its excellence as a skilled provider of on-scene services by enhancing professional capability to respond to

public needs in a digital-network, knowledge-based society.

[6] Maintain the state of readiness to work extra missions for the development of the whole nation as a premier maritime service, by taking initiatives towards the future restructuring and consolidation of the fragmented maritime administrative systems.

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