

## Pitfalls and remedies in international trade

Piracy & Hijacking  
Recent developments, hotspots and effects on trade

ICC – International Maritime Bureau  
Cyrus Mody  
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## In this presentation

- Piracy – a universal crime
- Current areas of risk & concern
- Role of the IMB & its Piracy Reporting Centre
- Way forward?



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## Maritime domain....



- among the heaviest regulated industry
- legally challenging & complex environment
- important link in a supply chain
- also used by majority of organised crime

drugs, people smuggling, gun running, wildlife and forestry, IUU, charcoal, illegal dumping, terrorism, piracy & armed robbery....



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## World Shipping Facts

90% of world trade carried by ship

- 2014 – number of seafarers – 1.19 million
- 2014 – number of ships – 87,927 (only)
- 2014 – vessel dwt – 1.69 billion tons
- 2013 – total world goods worth 18.5 trillion USD
- 2011 – cargo discharged – 17.4 billion mt
- 2010 – piracy attack on a crew – 0.06%

Source:  
 United Nations Conference on Trade and Development (UNCTAD) <http://www.unctadstat.unctad.org>  
 International Chamber of Shipping: <http://www.ics-shipping.org>



Risk of piracy attack small but consequences large

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## A crime that affects all

Human	Economic	Commercial
		
		 <b>General Average</b>
		

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## Definitions

<p>Piracy defined under UNCLOS article 101 as</p> <p>a) Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:-</p> <p>i) On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft</p> <p>ii) Against a ship, aircraft, persons or property in a place outside the jurisdiction of any State</p> <p>b) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft.</p> <p>c) Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b)</p>	<p>Armed Robbery defined under IMO resolution A.1025 (26)</p> <p>a) Any illegal act of violence or detention or any act of depredation, or theft thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property onboard such a ship, within a states internal waters, archipelagic waters and territorial sea;</p> <p>b) Any act of inciting or of intentionally facilitating an act described above.</p>
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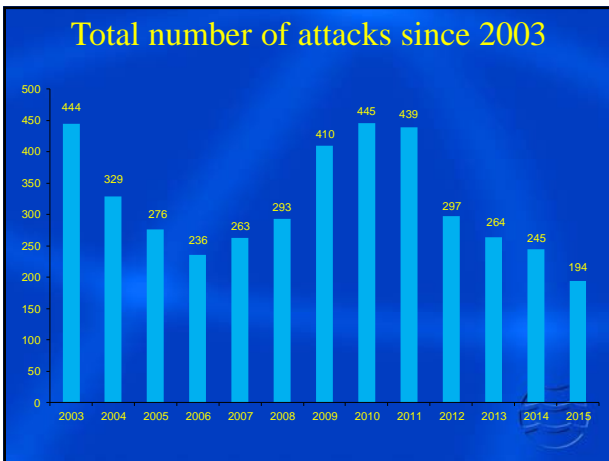
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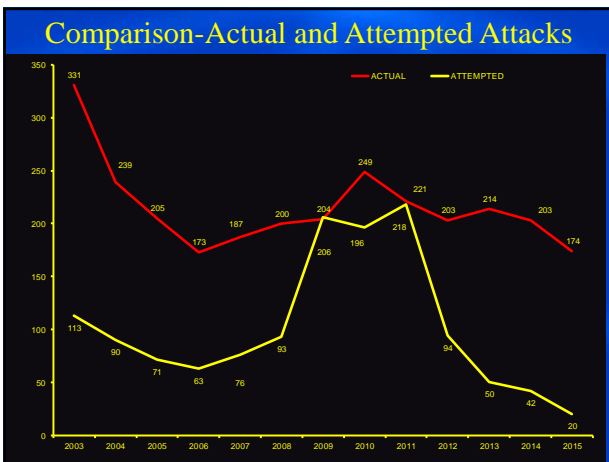
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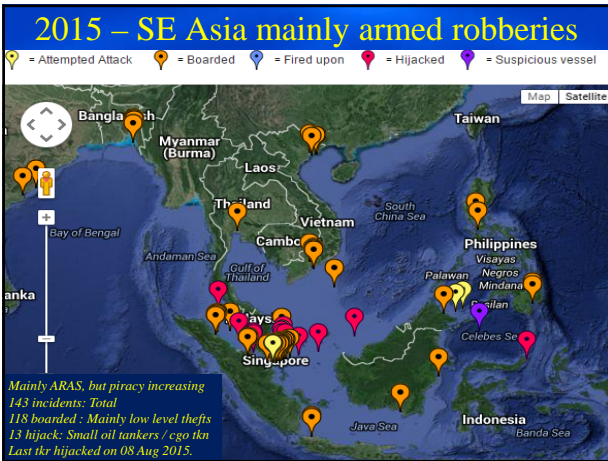
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### Hijacking of pdt tankers – Orkim Harmony



Orkim Harmony: Hijacked 11 June 2015.

- Crew: 22.
- Cgo: 5900mt gasoil.
- Indonesia, Malaysia, Singapore authorities notified.
- Vsl located on 17 June off Cambodia
- MMEA shadowing vsl.
- Eight pirates arrested by Vietnam after they left vessel.

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### SE Asia - hijacking of pdt tankers

June 2015:

- Orkim Harmony pirate crew capture
- Sentencing of Sun Birdie pirate crew – 10 years and one stroke of Rotan
- Since June 2015 no hijacking reported.....



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### ..... until – MT Joaquim

- 08.08.2015: 2000 LT: Around 13.4nm ENE of Pulau Rupa, Malacca Straits
- Product tanker attacked and hijacked
- Owner reported losing contact
- Authorities conduct search
- 09.08.2015 tanker located off Tanjung Kling
- Oil cargo stolen and escaped
- All communication equipment disabled
- Two crew members injured, later evacuated
- Reports indicate the pirates were caught by MMEA



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### RMN forms rapid deployment team to thwart pirate attacks

**KUALA LUMPUR:** The Royal Malaysian Navy has formed a rapid deployment team with the cooperation of its Indonesian counterparts to curb sea crime, especially piracy, said Admiral Tan Sri Abdul Aziz Jaufar.

The RMN chief said a helicopter had been placed under the team at its base in Tanjung Pengelih, Johor, while the Indonesian navy had stationed its team on Batam Island, near Singapore.

He added that the team was formed on Aug 21 following the *MT Joaquim* oil tanker robbery on Aug 8.

It was the third tanker to be forcefully taken in the Straits of Malacca this year, after two cases on March 2 and Feb 15.

Before the *MT Joaquim* incident, there were already 12 similar cases in South-East Asian

waters this year, of which six involved Malaysian registered tankers. They included the *MT Orkim Harmony*, which was carrying petrol worth RM21mil and was hijacked off Johor's east coast on June 11.

Last year, there were 15 reported ship hijackings, eight of which involved fuel tankers. Most hijackings involved small groups of armed pirates moving in smaller and faster boats.

Meanwhile, Admiral Abdul Aziz said RMN would not hesitate to hand over to the authorities navy personnel suspected to be involved in the Islamic State (IS) militant group.

He said this in response to the arrest of five Armed Forces personnel on Aug 19. They were among 10 individuals detained for alleged IS involvement.

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### Waters of Somalia – continued cause of concern



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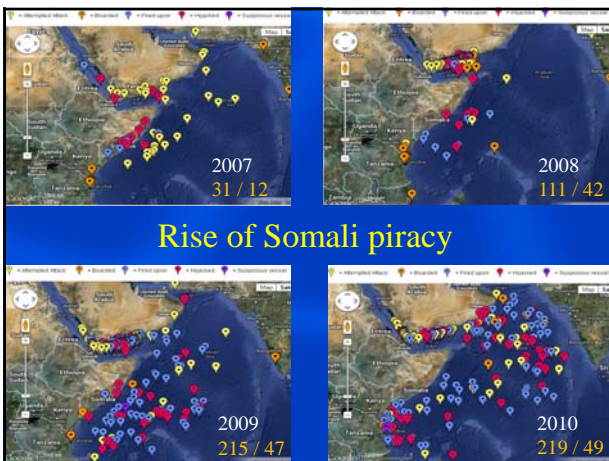
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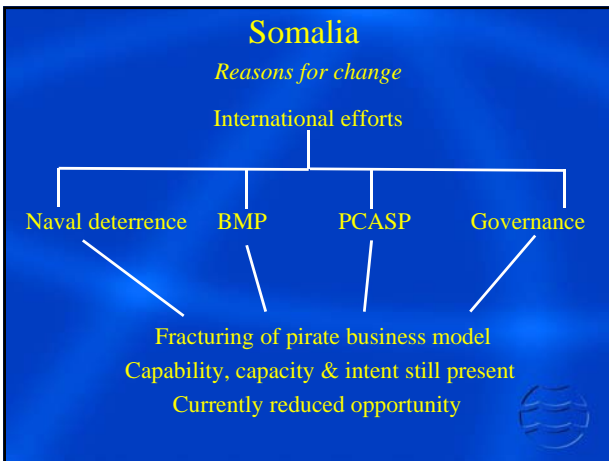
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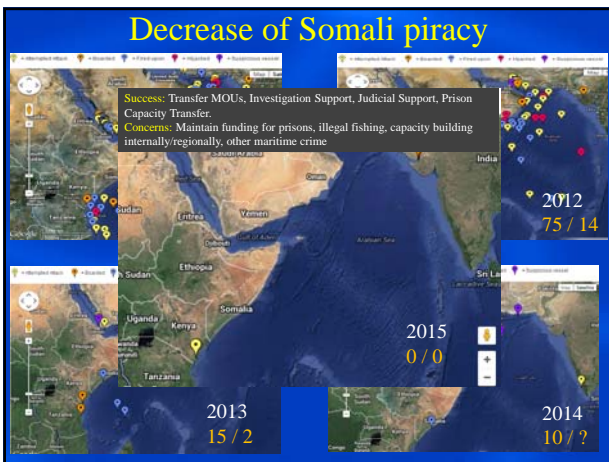
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### Current Hostage Stats (Somalia)

26 (29) crew being held. Negotiations??

Somali numbers	Total
Ships attacked	913
Ships hijacked	194
Hostages	3643

*What about the families?*

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# Nigeria & Gulf of Guinea - area of high risk

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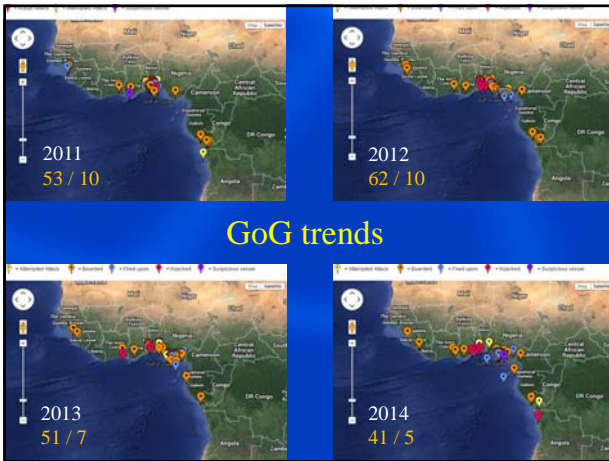
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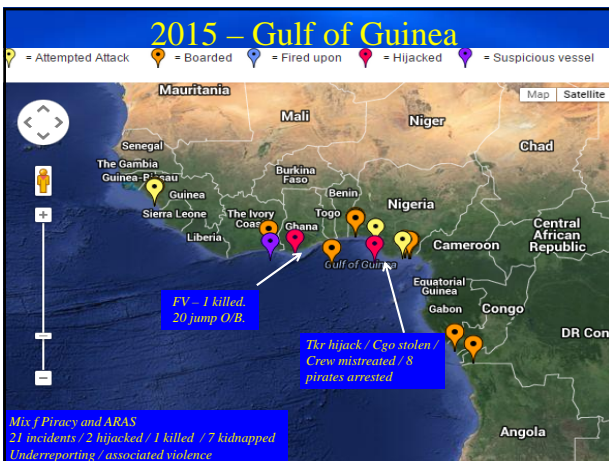
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## Lagos – secure anchorage

Since May 2013 the Secure Anchorage Area (SAA) off Lagos, Nigeria has reported a 100% success rate against piracy. It is approved by all Nigerian Government agencies, including the Nigerian Navy, Nigerian Port Authority and Nigerian Maritime Administration and Safety Agency.



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## Recent incident



At time of incident vessel was in the Secure anchorage area



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## Role of the IMB



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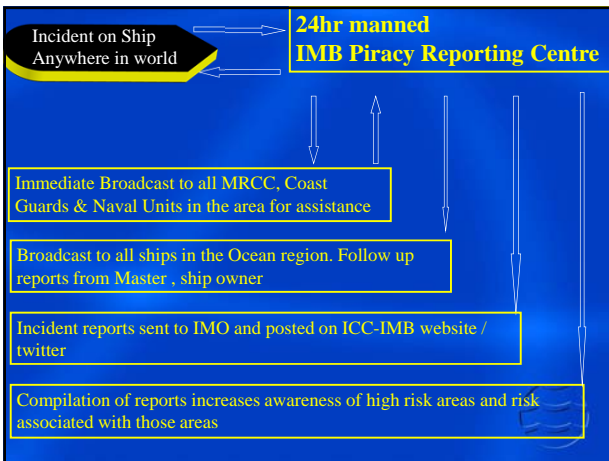
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Way forward.....

- Crime of piracy different – needs unique solutions
- Reporting detached from response – good governance
- Ease of reporting for ship masters (hub & spoke)
- Encouraging response from law enforcement / govt
- Universal classification / definitions of reported incidents

*Lessons learnt – Information shared is knowledge gained*

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*Thank you*

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