

**ICC-IMB International Meeting on Piracy, Armed Robbery and Maritime Security  
– addressing risks in a changing threat environment**

14-15 September 2015, Shangri-la Hotel, Kuala Lumpur

**Industry Perspective on Maritime Security**

1040-1100, Monday 14 September

Ministers, experts, delegates, good morning! My thanks to Muku and his team for their invitation to address you today. I understand that it is my role to give an overview of the issues to be presented today and tomorrow, and to set the scene for the discussions that will follow, but I am also very conscious that I am probably the least expert in this room. Despite my lack of credentials, I have been addressing piracy conferences for some 20 years and, frankly, in my opinion, nothing has changed and everything has changed. Let me explain.

I will start my talk with an overview of the issues that confront us, and then lead into a discourse on sharing and collection of information and then a discussion on reporting, from an industry standpoint.

I do try to read and keep up to date with developments, and I will refer to some of the authors of papers by name during my presentation. But if I miss out on making specific references, please forgive me.

It is clear, to me at least, that in this and similar conferences we are discussing the Band-Aids, the symptoms, not the disease. Global wealth inequality, human greed and criminal activities, global increase in population putting great stress on food and water supplies, religious fundamentalism, and anarchy. Honestly, there is nothing that we in the industry can do about the disease, being the messengers, the carriers, of world trade. What we can do is to continue to try to address the symptoms, to apply the Band-Aids, knowing that we will never be able to cure the underlying issues. Perhaps a pessimistic note, which is most unlike the optimism usually shown by shipowners!

Overview of the Issues

Much to our disappointment in the maritime industry, our concerns are not the most important concerns of the littoral countries. Taking the SE Asian region as an example, the following table is reproduced from the April 2011 edition of 'Pointer', the Journal of the Singapore Armed Forces Supplement. It is very possible that some of you may disagree with the entries in the table, or it could well be out of date, but it is, to my mind, indicative of the nature of the maritime security environment. I would hazard a guess that Piracy and Sea Robbery are still not the most important maritime security concerns of the littoral States.

Countries	Key Concerns			
Brunei <sup>3</sup>	Maritime Terrorism	Piracy	Maritime Boundaries	Protection of Offshore Industry
Cambodia	Maritime Terrorism	Piracy	Maritime Boundaries	Drug and Human Smuggling
Indonesia	Maritime Boundaries	Illegal Fishing	Smuggling	Marine Pollution
Malaysia	Drug, Human and Cigarette Smuggling	Illegal Fishing		
Myanmar	Maritime Boundaries	Drug and Arms Trafficking	Human Smuggling	Illegal Fishing
Philippines	Oil Smuggling	Human Trafficking	Piracy and Sea Robbery	Marine Pollution
Singapore	Maritime Terrorism	Sea Lanes Security	Piracy and Sea Robbery	Human Smuggling
Thailand <sup>4</sup>	Human Smuggling	Illegal Fishing	Piracy and Sea Robbery	Maritime Terrorism

I will now introduce some of the specific issues that confront us.

**Migration.** There has always been migration, in fact, in many ways, I am a migrant. But the sheer number of migrants, whether fleeing poverty or oppression, has become overwhelming. The migrants that decide, or have the decision made for them, to take to the sea, generally do so in elderly boats that are not designed for the number of people they have to carry. The issue here is ‘safe sea passage’, an issue that the IMO is attempting to address, but in the meantime the maritime industry is finding itself in the position of rescuing vast numbers of migrants from leaky and unsafe boats. Of course, we have no hesitation in doing so, in accordance with our responsibilities under UNCLOS, SOLAS and the SAR Convention, but the sheer number of people to be rescued is putting the industry under great strain. The Mediterranean is frequently in the news as being the major area for the rescue of migrants, but we also have migrants at sea in difficult circumstances in Asia.

We must not underestimate the effect that this has on our seafarers. The psychological trauma of seeing human beings, children, being drowned at sea, or having to rescue, feed and give basic medical assistance to vast numbers of migrants, greatly outnumbering the seafarers on board who are not specifically trained and do not have the required supplies, must be recognized. Especially when, in some cases, the nearest place to the rescue refuses to accept the migrants ashore. The industry cannot address the reasons for the migration, but while we will continue to comply with our humanitarian obligations we do need to have continued and keen support from the littoral countries.

The industry has now issued the second edition of its Guidance 'Large Scale Rescue Operations at Sea', which is intended to ensure the safety and security of seafarers and rescued persons. The Guidance is available for free download from [ics-shipping.org](http://ics-shipping.org) and other associations.



The industry is concerned, however, that the tide of humanity could start to include terrorists or others that have the intention of causing serious damage to the rescuing ship, to the seafarers on board or to the country where they are eventually landed. There would appear to be a growing movement across the globe towards anarchy, damage and loss of life for little apparent reason, and there would appear to be little reason for such madness not to take advantage of the present chaotic and confused situation.

**Piracy and Armed Robbery.** There are many different categories of piracy and armed robbery – I will get into some of the definitions later – but they range from opportunistic theft to highly coordinated criminal activities. Attacks can be for many reasons, prompted by the bright lights of ships passing areas of relatively low development, where a can of paint can feed a family for a month, to attacks on fishing boats that are illegally fishing a community's fish stocks, to highly organized criminal gangs stealing cargoes or hijacking

ships and seafarers, either for political or criminal gain. Shipping is an easy target, with relatively unprotected ships being confined through strategic choke points, carrying high value world trade that does not necessarily benefit the coastal communities. We have always said, however, that combating piracy and armed robbery is like pressing down on a balloon. When doing so, the balloon pops up in other places. Frustrating, especially for the industry, but unfortunately predictable.

Over recent years, we have seen attacks increase and then reduce off Somalia, thanks to the combined efforts of the armed forces and industry, we have seen violent attacks in the Gulf of Guinea, and we have also seen attacks increase, once again, in the SE Asia region. I will not get into figures, as I am sure that others will do so during the conference. My point is that the industry will continue to face attacks, and we must be prepared to defend ourselves as best we can. One of my members has an aframax tanker on time charter to a major for cross Asia trips, short trips with many load and discharge ports. The ship's crew find it extremely difficult to protect fully against illegal boarding and to apply the recommendations of BMP4, so the Owner has developed his own requirements to best protect his ship, the cargo and the seafarers on board.

Compliance with BMP4, and the guidance for the Gulf of Guinea and the developing guidance for the SE Asian region, are essential references for the ship operator and master. Whether we can retrofit or build into our ships sufficient self protection measures is perhaps an issue that will be discussed later in this conference.

#### Reporting of information

It is essential that information about attacks is collected, fused and shared, because the analysis, collection and sharing of information assists Government agencies and navies to identify trends and patterns, and pinpoint where and how attacks are taking place in order to better focus potentially limited protection efforts. There is, however, a reluctance in the industry to report minor incidents or threats, for the reason that investigations in port can delay the ship, and the delay can cost considerably more than the replacement of the items that might have been stolen. I understand that work is going on to reduce any time required for investigation, and this will be very welcome.

The industry needs clarity and rationalization of the various elements to provide a harmonized and common global reporting system, above which would likely be an oversight body to ensure consistency of information.

For the collection and sharing of data, the industry is incredibly grateful to IMB and to ReCAAP. IMB, as we know, is a private non-Governmental organization with observer status at IMO and covers global piracy, while ReCAAP is a public inter-Governmental organization formed through multi-lateral agreement and MOUs, and deals with piracy and attacks in SE Asia.

As described by Christian Beuger in a recent paper<sup>1</sup>, Information Sharing and Maritime Domain Awareness are at the heart of the contemporary maritime security agenda. A third organization, the Information Fusion Centre (IFC), is a public state-run organization, formed through multi-bilateral agreements and MOUs, seen to be more of an intra-military organization, whose focus is on Maritime Domain Awareness, coordination and response. IFC has a role that is concerned with all maritime security issues rather than just piracy and armed robbery.

There is currently a discussion about the reporting of piracy and armed robbery incidents in SE Asia that I am sure we will address in greater detail during this conference. I think we all understand the definitions of 'Piracy' and 'Armed Robbery', and ReCAAP takes this one step further by categorizing both piracy and armed robbery incidents according to the level of violence and economic impact. The least significant incident is given the title 'petty theft' or 'minimum significant', which, along with the categorization of incidents, has led to some discussion.

As analyst Michael Frodl has pointed out, it is perhaps wrong to categorize incidents that take place in territorial waters without making reference to the particular State's domestic legislation. An unarmed burglary in New York, for instance, would not be categorized as petty theft, more likely a criminal conviction and 5 years in jail. In addition, the usual definition of the term 'petty' would indicate an incident that is not worthy of reaction or concern. Something that a mugging victim, where a wallet or handbag is stolen with threat but not with use or with minimal use of violence, might disagree with. It is a pity that such categorization has led to debate, debate that distracts from the essential business of analysis and sharing of data.

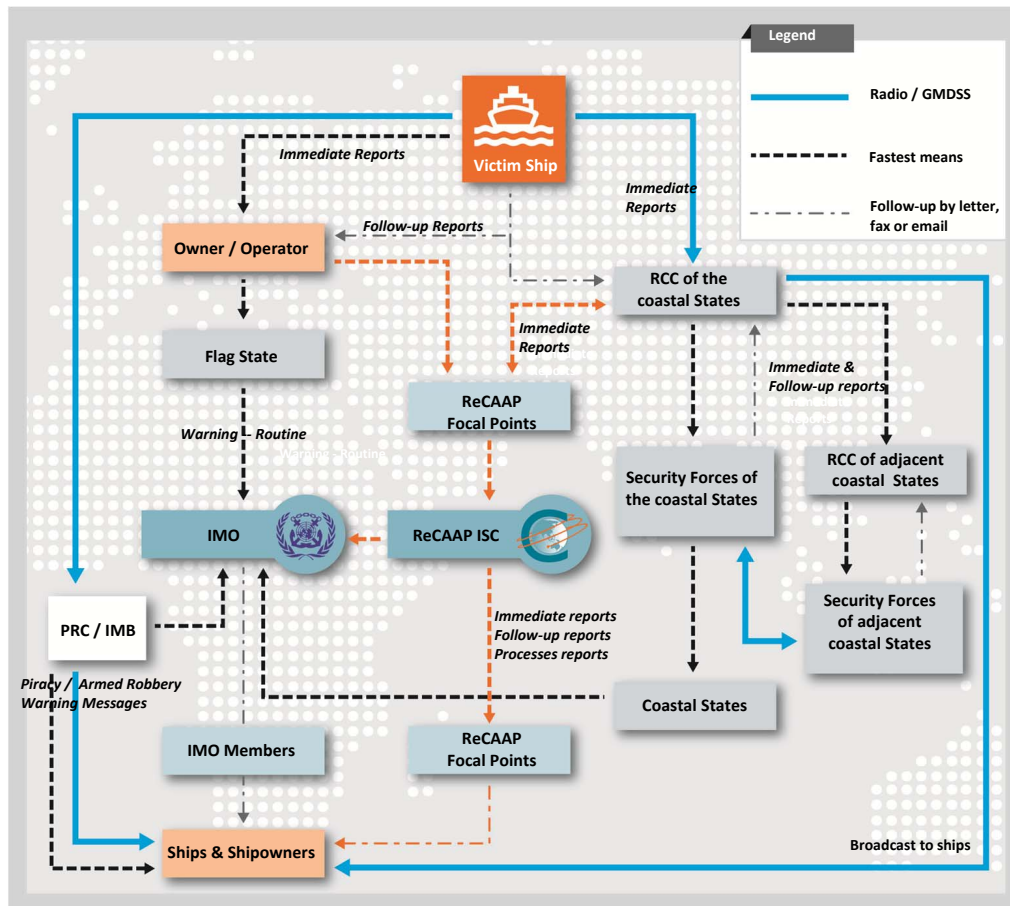
### Response

Which leads me nicely onto my third issue. I would hazard a guess that a seafarer, when seeing that someone has climbed on board his ship, will not know whether that person is armed, and if so with a knife, sword or gun, whether that person has the intent to steal, rob or hijack or even whether the ship is, at that particular moment on the high seas, or in territorial waters, and if so, whether the relevant State has the capability or resources to react. These are all for post-incident analysis. What the seafarer wants is immediate assistance, preferably with as much force as possible.

ReCAAP, in this respect, is clearly not the answer. In order to make an incident report, the user has to register on the website, which could take valuable time. ReCAAP therefore recommends, as shown in the diagram, that the victim ship should contact the RCC of the coastal State. ReCAAP provides a good list of local focal points and their contact details, but if the ship is not even sure whether it is in territorial waters, or on the high seas, in addition with the present uncertainty of where the maritime borders are in SE Asia, contacting the appropriate local Response Control Centre could be difficult.

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<sup>1</sup> 'From Dusk to Dawn? Maritime Domain Awareness in Southeast Asia', Contemporary Southeast Asia Vol. 37, No.2 (2015) pp157-82.



IFC is also not too helpful. There is a website, but for one, I can't get a reaction on either Safari or Firefox to display the site. Secondly, I believe there is a Marsec Weekly Report, 'releasable to maritime industry' but I have only found select back copies from other websites. A P&I Club recently sent a safety alert bulletin from International Marine Transportation (ExxonMobil) that had the following recommendations:

**Regional Security Resources:**

SE Asian regional security resources are not being fully utilized by some vessel operators:

- Vessels are not routinely participating in the Information Fusion centers Voluntary Community Reporting scheme (VCR) (Q6112,Q6113)
- IFC SMS Alerts, Daily Briefs and MARSEC Weekly Reports are not being referenced by company CSO's

But if the resources are not freely available, then they are of little immediate use.

IMB, on the other hand, publicizes a global Anti-Piracy Helpline, manned 24 hours a day. All information received is immediately relayed to the local law enforcement agencies requesting assistance. Information is also immediately broadcast to all vessels in the ocean region, providing vital intelligence and increasing awareness.

As a movie once put it 'who you gonna call..?'

One issue of increasing importance is that of preservation of evidence. This is not something that comes naturally to mariners, in that a clean ship is a good ship, and the

desire to clean up after an event must be difficult to resist. IMO Resolution A 28/Res.1091 of 28 March 2014 is essential reading after an incident. It might be difficult for the crew on board to concentrate and follow IMO Resolutions after an incident has taken place, and it is therefore essential for us to remind those on board of the necessity to follow the Guidelines as much as possible so that the perpetrators can be identified and eventually caught.

### Conclusion

I started this paper with the remark that nothing has changed, and everything has changed. Nothing has changed with the attacks on ships. Ships and the seafarers on board the ships are vulnerable targets and easy prey. It is essential for ships to ensure that they are the 'least favourable' victim by good adherence to industry recommendations – closed and locked windows are a better deterrent than an open front door. And to ensure that incidents and threats are well reported, both in order to warn others and to better direct limited resources.

What has changed is awareness, especially amongst Governments. The points I tried to make some 20 years ago were made to raise awareness, to the extent that attacks on ships would be recognized to be an issue that had to be dealt with. Awareness that threats against the maritime industry directly affect the efficiency of world trade. And directly affect the livelihoods of those who stand most to benefit from world trade, the inhabitants of lesser developed countries. We are seeing great progress, and I would like to thank the various States for their move towards rapid response teams and bi- and multi-lateral response agreements.

Dare I say that we are making progress, and for that I and my members are grateful. But we are not yet in a situation where our seafarers, our ships and our cargoes are able to feel safe.

Thank you.

Arthur Bowring  
14 September 2015