

ICC-IMB KUALA LUMPUR

“Overview of Maritime Crime in the Indian Ocean – triggers and responses”.

- John Steed
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Transnational organized crimes:
A global business worth US\$ 870 billion

“Maritime crime poses a serious threat to the safety of seafarers, international trade and regional stability. It includes not only criminal activity directed at vessels or maritime structures, but also the use of the high seas to perpetrate transnational organized crimes such as smuggling of persons or illicit substances. These forms of maritime crime can have devastating human consequences”

TRIGGERS

- Multiple sources of insecurity afflict many of the countries that rim the Indian Ocean. These challenges include:
 - Simmering conflicts between states;
 - Terrorism across the region;
 - Insurgency;
 - State failure, civil war, and famine;
 - High-volume trafficking of drugs from Afghanistan;
 - Piracy and armed robbery at sea.
- The Persian Gulf remains the global market's most important source of crude oil.
- The Indian Ocean constitutes a key sector of the globe's east-west-east trading belt.

LEARNING LESSONS FROM OUR COUNTER PIRACY PROGRAMS IN THE HORN OF AFRICA

Providing the legal Finnish :

- Transfer MOUs
- Investigation Support
- Judicial Support
- Prison Capacity
- Transfer

On the Positive side:

- No successful Pirate attacks
- Hostages reduced to 26 +2 + 19
- Pirates prosecuted and in prison
- Some capacity building

On the Negative side:

- Piracy and armed robbery has moved on and the worlds hot spots are now in SE Asia, West Africa and the Caribbean
- In the HOA several key issues:
 - Maintain funding for Prisons
 - Illegal Fishing
 - Capacity building internally/regionally
 - Other Maritime crime

RESPONSES:

THE INDIAN OCEAN FORUM FOR MARITIME CRIME



The image shows the logos for the Indian Ocean Forum for Maritime Crime (IOFMC) and the United Nations Office on Drugs and Crime (UNODC). The IOFMC logo features a globe and the text 'IOFMC INDIAN OCEAN FORUM ON MARITIME CRIME'. The UNODC logo features the United Nations emblem and the text 'UNODC United Nations Office on Drugs and Crime'.



THE IOFMC WILL:

- Promote a shared understanding of the Maritime threats faced by IO States that are on trafficking routes
- Formulate strategies to combat maritime crime
- Enhance the sharing of intelligence related to Maritime crime
- Enhance coordination on investigating and prosecuting maritime crime
- Promote capacity development to combat maritime crime



The image shows a map of the Indian Ocean region with several countries highlighted in orange. The IOFMC and UNODC logos are visible at the bottom left of the slide.

SUPPORT FOR IOFMC

- Welcomed by the Ministerial meeting of the African Union on Maritime Safety and Security – Seychelles in February 2015
- "An essential mechanism to counter transnational organised crime"- Heroin Trafficking on the High Seas in the Indian Ocean – Doha April 2015 (13th UN Congress on Crime Prevention and Criminal Justice

SPECIFICALLY THE FORUM WILL:

- Facilitate a sharing of information related to maritime crime within and across the regions
- Enhance coordination on investigating and prosecuting maritime crime
- Develop domestic, regional and inter-regional capacity to combat maritime crime
- Formulate regional and inter-regional strategies to combat maritime crime
- A shared understanding of Maritime Issues facing Indian Ocean States

IOFMC UPMODC

TECHNICAL LEVEL:


Regular regional meetings at a technical level aimed at improving information sharing and law enforcement cooperation, and providing specialist training and capacity building support. This would include:

- The formation of Regional Prosecutors Networks for the purposes of improving mutual legal assistance, extradition arrangements and coordination amongst prosecutions;
- The formation of Regional Transnational Law Enforcement Networks; to promote law enforcement / criminal justice cooperation amongst states and the establishment of Transnational Organized Crime Units.

IOFMC UPMODC

STRUCTURE:


- The Technical Group Meetings will be run over two or three days on different dates and be structured with common modules as follows:
 - Threat Assessment Module: an update on crime trends, statistics and other relevant information relating to the crime pillar.
 - Common Prosecution Module: including mutual legal assistance, extradition, prisoner transfers and establishment of Regional Prosecutors' Networks
 - Common Law Enforcement Module: including sharing of criminal intelligence and establishment of Regional Transnational Law Enforcement Networks
 - Group Specific Module: Both law enforcement and prosecutorial groups will discuss common concerns in dealing with the particular crime pillar.
 - Formulation of recommendations, to be presented to the Ministerial plenary.



STRATEGIC LEVEL:

Annual regional meetings at the Ministerial level to enhance cooperation at a political and strategic level. The annual Ministerial Meeting of the IOFMC will run over two days and will be structured as follows:

- To hear reports and formulate proposals for action and cooperation within the IOFMC community, based upon the recommendations resulting from the technical meetings held for each crime pillar;
- To look forward to other maritime crimes areas that are threatening the IOFMC community and make recommendations for follow up action in the succeeding twelve months;
- To endorse the work plan for the IOFMC.






THE CURRENT 6 IOFMC MARITIME CRIME PILLARS

- Heroin Trafficking
- Trafficking in Persons / Smuggling migrants
- Wildlife and Forestry Crime
- Fisheries Crime
- Trafficking in Charcoal from Somalia
- Piracy and Armed Robbery

HEROIN TRAFFICKING PILLAR

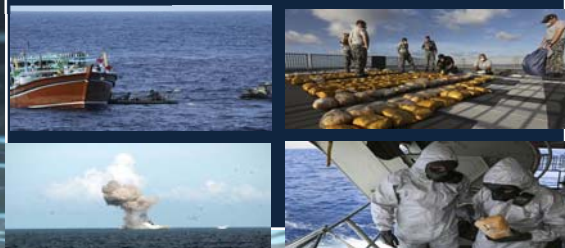
- The heroin trafficking pillar will aim to develop collaborative action within the membership of the IOFMC and/or facilitate bilateral action to counter heroin trafficking on the maritime domain known as the "Southern Route". The pillar will bring together senior officials from drug enforcement and prosecution agencies within the membership of the IOFMC to develop practical measures that promote a collaborative approach to disrupt heroin trafficking and networks behind such activity.

HEROIN TRAFFICKING PILLAR



- Afghan Origin
- Makran Coast to East Africa
- Makran Coast to East Asia
- As land routes become more difficult increasingly maritime routes used
- Taliban derived \$133m from narcotics in 2011



RECENT EXAMPLES



TRAFFICKING IN PERSONS AND MIGRANT SMUGGLING PILLAR

The Trafficking in Persons (TiP) and Smuggling of Migrants (SoM) pillar will focus on two main irregular migration routes in the region:

- the so "Eastern Route" originating from Ethiopia and Somalia and mostly going through Djibouti and Yemen to the Gulf countries
- and the "Southern Route" from the Horn of Africa crossing Kenya and Tanzania towards South Africa.



TRAFFICKING IN PERSONS AND MIGRANT SMUGGLING CONT...

Aim to increase international cooperation and mutual legal assistance, in particular between prosecutors, law enforcement, border control and customs in prosecuting traffickers and smugglers and protecting victims of trafficking and vulnerable migrants.


- Improve the victim support services along the trafficking and smuggling routes.
- Improve the situation of smuggled migrants and victims of trafficking in countries of destination and transit



WILDLIFE AND FORESTRY CRIME PILLAR

This programme will look at the current situation of illegal trade in wild fauna and flora, with a particular focus on ivory and rosewood trafficking.

The WLFC pillar aims to achieve improved cooperation and information exchange between agencies and between countries. We aim to improve capacities of law enforcement officials and prosecutors to effectively investigate and prosecute WLFC within the region and increase successful convictions within the region for WLFC offences, also targeting the recovery of proceeds originated from WLFC.



FISHING CRIME (LED BY SF – ONE EARTH FOUNDATION)

- Loss of Revenue
- UNODC conducted a review of transnational criminal activities in the fishing industry.
 - Fishers trafficked for the purpose of forced labour on board fishing vessels are severely abused.
 - There is frequency of child trafficking in the fishing industry;
 - Transnational organised criminal groups are engaged in marine living resource crimes in relation to high value, low volume species such as abalone;
 - Some transnational fishing operators launder illegally caught fish through transshipments at sea and fraudulent catch documentation;
 - Fishing licensing and control system is vulnerable to corruption;
 - Fishing vessels are used for the purpose of smuggling of migrants, illicit traffic in drugs (primarily cocaine), illicit traffic in weapons, and acts of terrorism; and
 - Fishers are often recruited by organised criminal groups due to their skills and knowledge of the sea and are seldom masterminds behind organised criminal activities involving the fishing industry or fishing vessels.



SOME OF THE SPECIFIC INCIDENTS OF TRANSNATIONAL CRIME IN THE FISHERIES INDUSTRY INCLUDE:

- Hijacking of the MV Kuber (2008) for the purpose of transporting terrorists and arms into Mumbai.
- Hijacking of fishing vessels and involvement of fishers in piracy attacks in the western Indian ocean.
- Smuggling of weapons into/off the coast of the Red Sea.
- Human trafficking for the purpose of forced labor in Thai Fishing Industry.
- The illegal capture and trade of high value species by criminal syndicates in Australia and South Africa.

CHARCOAL PILLAR SUPPORT (UNODC/CMF)

US\$384 Millions is AL-SHABAAB income with the Charcoal trade in Somalia



The Environmental Problem:

Most charcoal bags weigh 50 kgs (heavy charcoal from indigenous trees). Taking the rate of conversion from wood to charcoal to be 10%, we are talking of more than 1500 tonnes of woods is being converted from trees to charcoal daily.

CHARCOAL PILLAR SUPPORT ACTIVITY

- UNSCR 2182
- A Legal finish to CMF Operations
- Stop the demand ?
- Stop the transportation
 - Turn back to port on high seas
 - Turn away on arrival
 - Board, arrest and escort to port for sale or de
 - Where for destruction?
 - Escorted by whom ?
 - Intercept and report
 - Detain on arrival



TOC - PIRACY & ARMED ROBBERY AT SEA

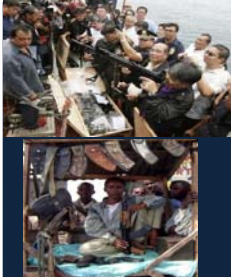


- Human Cost
 - 1035 seafarers attacked on GoG
 - 320 seafarers attacked in IO
 - 3654 seafarers attacked in SE Asia
- Highlights:
 - GoG: Violent initial attack. Opportunistic kidnap and ransom
 - IO: Long term hostage taking. Regional seafarers more vulnerable.
 - SE Asia: High % boarding. No regard for seafarer welfare.

Figures from OBP - The State of Maritime Piracy 2014

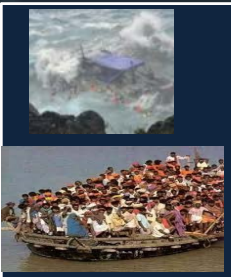
OTHER MARITIME CRIMES

"The sea is a new frontier. For those who will exploit it respectfully, it still is a treasure trove of discoveries, a promise of opportunities."



ToC – ARMS SMUGGLING

- Flows of illicit weapons and ammunition in this region follow the familiar logic of supply and demand, moving from source (or surplus) to areas of conflict, where they can fuel insurgency or, to a lesser extent, terrorist activity.
- The linkages of greatest concern are flows of small arms and light weapons (SALW) from Iran to Yemen and onwards to the Eastern Mediterranean via the Suez Canal, and between the Arabian Peninsula (Yemen) and the Horn of Africa (Somalia) and to the islands of the IO.



ToC – ILLEGAL IMMIGRATION

Illegal immigration is likely to increase significantly, given the impacts of climate change on burgeoning populations, combined with local conflicts.



ToC – WHITE COLLAR MARITIME CRIME

- Maritime tax evasion
- Tax and revenue aspects of IUU fishing
- Alcohol and Tabaco Smuggling
- Misrepresentation of cargo

TOC – ENVIRONMENTAL MARITIME CRIME



- Discharging in Ocean waters
- Oil Spills
- Discharging cargo residues polluting ports, waterways and oceans.
- Ballast waters discharged in harbours (unwanted exotic marine life)

TOC – MARITIME TERRORISM



BREAKING NEWS 15 BRITONS DEAD WORLD NEWS INTERNATIONAL 11/11/10

- Not rampant but steady flow over last 50 years
- Ships and Ports both vulnerable
- Tourists
- Fixed platforms

“...the undertaking of terrorist acts and activities within the maritime environment, using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel, against coastal facilities or settlements, including tourist resorts, port areas and port towns or cities.”

WHAT NEXT?

Establish Similar Forums in:

- The Atlantic Ocean covering West Africa and The Caribbean
- Address other crimes
- Add a Piracy Pillar ?

SUMMARY 

- To provide a regional network among Indian Ocean states to promote cooperation and response to maritime crime issues at a strategic and operational level.
- The Forum also engages with regional and international organisations with a common interest in combating maritime crime and enhancing regional cooperation, such as the Indian Ocean Rim Association (IORA) and Combined Maritime Forces (CMF)

PROGRAMME POINTS OF CONTACT 

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