

ASEAN Regional Forum
Workshop on Ship Profiling
Kuala Lumpur, Malaysia
15-16 April 2013

Co-Chairs' Summary Report

1. Pursuant to the 19th ASEAN Regional Forum Ministerial in Phnom Penh, Cambodia, in July 2012, the ASEAN Regional Forum Workshop on Ship Profiling was held in Kuala Lumpur, Malaysia, on 15-16 April 2013. The workshop was co-chaired by Mr Hj Matnor Hj Salleh of Brunei Darussalam, Dato' Captain Ahmad Othman of Malaysia, and Commander Clive Holmes of New Zealand.

2. The workshop was attended by representatives and experts from the ASEAN Secretariat, Australia, Brunei Darussalam, Canada, China, EU, Indonesia, Japan, Lao PDR, Malaysia, New Zealand, the Philippines, Thailand, Russia, Singapore, Sri Lanka, United States and Viet Nam. Representatives of the IMO and the Tokyo MOU Port State Control were also present. A total of 82 participants registered for the workshop.

Opening Remarks

3. In opening remarks, the co-chairs noted that ship profiling was an important but sometimes overlooked aspect of the International Ship and Port Security (ISPS) Code. There was a common interest among shipping states to ensure the smooth flow of maritime commerce. Attacks on ships could have an enormous impact on legitimate activity, which underlined the need for authorities to have measures in place to protect ship security. The co-chairs saw the workshop as an opportunity to deliberate over common problems and challenges associated with ship profiling, consider the possibility of developing best practices in this area, and share learnings and experiences from countries in the region. On the second day of the workshop, 16 April, the co-chairs expressed sympathy for the bombings in Boston, and reinforced the importance of not being complacent in matters of security and terrorism.

Session I: Ship Profiling – An Introduction

4. Nicholas Eacott of Maritime New Zealand introduced the topic of profiling, and explained how the concept was applied in the maritime sector. Mr Eacott commented the ship profiling remained a very relevant maritime security issue – intelligence suggests that terrorists continue to favour attacks in the maritime domain on what are seen as high-value targets. In the New Zealand context, ship profiling was used to direct Maritime NZ to those ships that are more likely to be non-compliant. Data obtained from the Asia Pacific Port Security Control (PSC) inspections was analysed to build a profile of ISPS non-compliance. Mr Eacott noted that profiling was an effective means of identifying targets for non-compliance using a statistical approach. But the security risk from a ship cannot be easily established through profiling alone. In New Zealand's experience, ship profiling was more effective when it is utilised together with intelligence and other tools. In addition, while ship profiling provided a range of benefits, including in providing situational awareness of the maritime environment, there were limitations eg. it is dependent on the integrity and completeness of data. Some participants were interested in how crew and passengers were linked into the ship profiling process. Mr Eacott noted that this was a complicated area, and emphasised

the importance of sharing information relating to passengers and crew, both among agencies and between countries. A copy of Mr Eacott's presentation can be found at **Annex A**.

5. Captain Hartmut Hesse representing the International Maritime Organisation briefed the meeting on the regulatory framework relevant to ship profiling and to enhancing maritime security and safety. The presentation detailed the various provisions and requirements found in the SOLAS Convention (specifically chapter V on AIS and LRIT, chapter XI-1 on maritime safety and chapter XI-2 on maritime security), the ISPS Code and the SUA treaties, in particular the synergies between ship profiling and per-arrival information, ship tracking, maritime domain awareness and maritime security. Mr Hesse also drew attention to the guidance that the IMO supplied from time to time on the implementation of SOLAS and the ISPS Code, and noted that the IMO had recently published a 'Maritime Security Manual' which provided essentially the necessary information which would be required also for ship profiling regulatory enforcement. A copy of Mr Hesse's presentation may be found at **ANNEX B**. Participants were interested in whether the ISPS Code placed an obligation on ships to pass on information of non-compliance to next port call. While this aspect was addressed by IMO guidance, there was no specific requirement in the text of the ISPS Code itself. There was also a discussion on whether IMO was doing any work in respect of maritime tourism, in particular the profiling of passengers. IMO had to date not addressed this issue, and Mr Hesse was not aware of any activity in this area. However he indicated that the cruise industry might have considered this issue.

6. Captain Abdul Samad Shaik representing the Tokyo MOU on Port State Control (PSC) in the Asia-Pacific Region, briefed the meeting on the history, objectives, membership, and functions of the Tokyo MOU regime. One of the MOU's key objectives was to eliminate sub-standard shipping. The PSC also had responsibility for implementing relevant instruments, including SOLAS, MARPOL etc. The PSC adopted a range of ship targeting criteria, which determined whether a vessel should be subject to inspection. Captain Samad provided inspection statistics for 2011, which indicated that nearly 31,000 inspections were carried out. Common deficiencies included: no access control and monitoring, no drills carried out and no records of last 10 port calls. All inspection data was keyed into the Asia Pacific Computer Inspection System (APCIS), which provided an effective information exchange facility between PSC authorities in the region. Much of this information was provided in real-time, and was available for public access (sensitive information is withheld). Searching a ship's inspection details will also reveal ISPS Code deficiencies. A copy of Captain Samad's presentation can be found at **Annex C**.

Session II: Implementing Effective Ship Profiling

7. Martin Sebastian of the Centre for Maritime Security and Diplomacy, Malaysia, spoke of the relationship between ship profiling and maritime domain awareness. Maritime security was a major issue for many different groups, and like other forms of crime had become a form of business. It was noted that offences committed on the water often was connected to acts on the land. Mr Sebastian emphasised the importance of developing maritime domain awareness, which must include awareness, prevention, response and consequence management. Acquiring knowledge of ships, people and cargo was vital. The realities of today's threats were less about terrorism, and more about pirates, armed robberies and organised crime. It was important to be ahead of the criminals, which called for shared awareness and sense making. Mr Sebastian outlined the reasons for resistance from industry stakeholders to the adoption of further security measures, including reasons of financial costs and reduction of operational speed and efficiency. Mr Sebastian concluded by noting that ship profiling was not necessary for ship security, but for ship safety, and that current security mechanisms were appropriate. In response to this assertion, one participant commented that ship profiling should not be quickly dismissed as a tool that could effectively assess a ship's compliance threat, particularly in an environment where good information

exchange between countries and regions remained elusive. A copy of Mr Sebastian's presentation can be found at [Annex D](#).

8. Bruce Barton of Maritime New Zealand elaborated on the role of intelligence in ship profiling. Intelligence contributed to sense making, and could include open source information in addition to classified information. Mr Barton outlined the types of information that was taken into account for the purposes of ship profiling. These fell into three broad categories: the ship details, ship history and ship route. The ability to carry out comprehensive ship profiling required access to comprehensive information from a wide range of sources. Information from databases, including APCIS, provided the basis for ship profiling. Information gathered from government border agencies was also important. Open source reporting could also play a role in helping to shape intelligence, as well as technology (eg. AIS and LRIT). The establishment of international links (eg. Singapore's Information Fusion Centre) and agreements, and the associated increase in trust and communication between countries, also had an important role to play. Mr Barton noted that analysis of information/intelligence was based both on decision support tools as well as old fashioned institutional knowledge and industry awareness. A copy of Mr Barton's presentation can be found at [Annex E](#).

9. Lieutenant Commander Mike Russell of the US Coast Guard briefed the workshop on the US's approach towards vessel screening, and outlined the information requirements of its Advanced Notice of Arrival (NOA). The NOA represented the first step of ship profiling. There were three tools in its ship profiling approach - the first is classified (known as the High interest Vessel Matrix); the second relates to the PSC, and represented the safety and environmental component of ship profiling; and the third concerned compliance with the ISPS (i.e., ship security). LCDR Russell noted that the objective of its screening process was not to stop traffic, but to ensure that vessels were safe and secure before coming into port. The system was taxing for everyone - in 2012, 9,011 individual vessels had made 72,000 port calls to the US, which meant that ship profiling was a daily occurrence. The system was also complex, requiring people to examine data and exchange data. LCDR Russell also clarified that the three processes adopted by the US towards ship profiling all fell within a single system. A copy of LCDR Russell's presentation can be found at [ANNEX F](#).

Session III: the Practice of Ship Profiling within ARF

10. This session involved presentations from Australia, China, the EU and Malaysia, outlining their respective approaches to ship profiling. Nic Zillman, Australia's Liaison Officer to the Information Fusion Centre, elaborated on the functions of the Australian Border Protection Command (BPC). The functions of the BPC meant that it acted as something of a broker, working with other government agencies to bring together and contextualise different sources of information concerning Australia's maritime domain. Commander Zillman also explained the operation of the Australian Maritime Identification System (AMIS), which gathered and synthesised large amounts of information in order to build a threat assessment of vessels approaching Australia's waters. A copy of Commander Zillman's presentation can be found at [ANNEX G](#).

11. Gao Lijun of China's Maritime Security Administration provided a statistical analysis of China's PSC inspections. Based on data collected in 2011 and 2012, it was found that the majority of deficiencies related to two areas: access control to ship and security related defects. Mr Hu Ronghua, the Chief Port State Control Officer from China's MSA, discussed the conflict between safety and security on ships due to the different focuses in the shipping operation. A number of examples of where this conflict could arise were provided, and appropriate responses to those problems were suggested. In respect of the debate over whether safety or security should be the main priority, Mr Hu noted that the answer would depend on the situation. A copy of China's presentation can be found at [ANNEX H](#).

12. Mr Mhd Hisham Bin Ali of Malaysia's Marine Department discussed Malaysia's regulatory and administrative processes on ship profiling with reference to various provisions in the Merchant Shipping Ordinance 1952. Mr Ali's presentation can be found at [ANNEX I](#).

13. Massimo Mosconi of the European Commission noted that maritime security was a specific competence of the European Commission. The EU's approach was stricter than the SOLAS framework – the provision of pre-arrival information by ships was mandatory as opposed to voluntary. The EU did not apply standard procedures given that there were 27 member states. This state of affairs presented a challenge to information exchange between the member states, which had their individual processes. To address this challenge, the EU was developing a system – SAFESEANET – which provided an integrated information platform which would enable more effective sharing of information by member states by applying a common standard of procedures. The system would not impose a heavy burden on shipping industry, with information only having to be submitted once. The tool was expected to be fully operational in 2015. A copy of the EU presentation can be found at [ANNEX J](#).

14. Lee Thian Chye of the Ministry of Transport, Singapore, briefed the workshop on the operation of Harbour Craft Transponder System (HARTS) that was used in Singapore. The system enabled relevant authorities to monitor the movement of smaller craft. HARTS monitored about 2800 of such registered craft when it was launched, but that number could now be greater. The operation of HARTS was processed by an integrated system in Singapore that also monitored ships fitted with the Automatic Identification System (AIS) transponders. A copy of Singapore's presentation can be found at [ANNEX K](#).

Session IV: Panel Discussion – the Way Forward and Future Challenges

15. Brunei Darussalam chaired a panel discussion covering a range of issues concerning the way forward and future challenges for ship profiling.

16. On the issue of identifying best practices on ship profiling, Hartmut Hesse representing the IMO noted that so far no such best management or best practices had been developed. There were many provisions in SOLAS and ISPS Code (Part B guidance) which provided the essential information for ship profiling purposes. The IMO supported in general the implementation of the mandatory requirements of its about 70 Conventions, Protocols and Codes through the development of more than 700 guidelines, and provision of model training courses and capacity building activities. Mr Hesse also drew attention to the IMO's 2012 Maritime Security manual, which was a guide to maritime security and the ISPS Code and could help states implement the necessary legal frameworks and administrative practices and procedures. The Manual could serve as a form of best practices. In terms of next steps, Mr Hesse suggested that member states might want to consider proposing to IMO Maritime Safety Committee that it develop best practices or guidance for ship profiling purposes. Another possibility might be for the workshop to invite ARF countries to submit best practices to IMO, and transform those to global guidance as required.

17. The IMO Maritime Safety Committee had a fixed item on its agenda on enhancing maritime security, and it would be possible for a member government or a group of governments to request the addition of a new work programme item on ship profiling to be established. So the window of opportunity was there. Mr Hesse considered that such a proposal might find support. Concerns were expressed by participants that there were currently many other maritime security guidelines that were not clear or not yet fully implemented by industry. Mr Hesse noted that this situation should not prevent states from addressing other issues such as ship profiling which are relevant. In addition, guidelines around ship profiling would likely be directed more to member states rather than to the shipping industry. The co-chairs agreed that the ideas raised by the IMO could be considered by the ARF further, but stressed that it was up to states to decide whether or not

to approach the IMO on developing guidelines on ship profiling. It would be important to mature the ideas before feeding them into the IMO. The EU noted that it would be happy to participate in any group that wanted to take this forward. The EU also noted its preference for more binding tools, rather than guidelines, to which Mr Hesse responded that the shipping industry would be more inclined to support ship profiling best practices and global guidelines, in improving compliance.

18. Captain Samad led the item on improving information sharing and international cooperation. In Tokyo MOU, 70% of information is shared publicly. The Tokyo MOU PSC was willing to extend this data, but it needed to know what the criteria were for ship profiling. Knowing this would enable the Tokyo MOU to determine how best to profile a ship and the kind of information that was needed to populate APCIS. It was noted PSC officers were safety officers, not security officers. The US noted that the end result of ship profiling was to allow for a safe and secure facilitation of commerce. There was no one size that fits all method to ship profiling, and while there might be similarities, approaches may be based on individual states' political realities and unique circumstances. The important opportunity afforded by such workshops to network and share information was very much appreciated by participants. The importance of maintaining good communication was also reinforced. Communication needed to occur at all levels, including with stakeholders such as the shipping industry. The US commented that regular exercises by the USCG served to enable improved communication with other agency officials. The USCG also carried out a number of programs that involved industry participation, which also helped to promote information sharing.

19. Commander Zillman of Australia led the discussion on future challenges relating to ship profiling. He identified a number of challenges, including

- Information sharing;
- The impact of having different legislation and conventions on industry's compliance. It was important that measures were balanced and avoided over-burdening industry. There needed to be a partnership with industry.
- The need to balance safety and security. This was a difficult balance which depended on the actual environment. Commander Zillman suggested that the two elements were not mutually exclusive.
- The problem of tracking and profiling small vessels, particularly if these vessels choose not to comply with maritime regulations. Large ships tended to be better run and generally complied with safety and security requirements.
- Improving the timeliness of ship profiling.

20. There was a discussion around the need to improve information sharing and enhancing inter-agency cooperation. A suggestion was put forward for future workshops to involve industry players, academics and other stakeholders, which would explore concrete approaches towards ship profiling and maritime security challenges. The possibility of such workshops discussing specific examples of maritime security incidents was also raised, though it was noted that ship profiling was preventative in nature, rather than used as a responsive tool. A number of participants agreed that improving inter-agency cooperation remained a challenge for various reasons, including lack of resources as well as the existence of different priorities and aims among the agencies. Contingency planning which involves an inter-agency process would help to overcome this challenge. It was also important to think of cooperation at the national level, as well as international level.

21. New Zealand raised the question of whether there was sufficient interest in pursuing the specific agenda on ship profiling (as opposed to wider maritime security issues) beyond this workshop, including in terms of establishing best practices. New Zealand further offered to share its methodology and process on ship profiling with any countries in the interests of capacity building. Participants were of the view that the workshop represented the start-point on the discussion on ship profiling, with further steps to follow.

Closing Remarks

22. In the co-chairs' closing remarks, participants were encouraged to maintain good channels of information sharing and cooperation around ship profiling. Increasing awareness on the issue through information sharing might foster a discussion around a possible submission to the IMO in the longer term on the development of set of best practices on ship profiling. But it was recognised that further discussions and information exchange were required before that point could be reached. Participants acknowledged the commitment of Brunei Darussalam, Malaysia and New Zealand to organising this workshop, and expressed appreciation to Malaysia for its excellent arrangements.