

2ND ARF ON UNCLOS SESSION 3

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Piracy and Armed Robbery

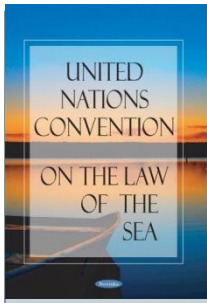
Capt. Martin A. Sebastian, RMN
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Centre for Maritime Security and Diplomacy
Maritime Institute of Malaysia (MIMA)
28 MAY 2014



PIRACY AND ARMED ROBBERY

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- **DEFINITIONS**
- **REGIONAL RESPONSE - MSSP**
- **IMO RESPONSE**
 - REGIONAL MEASURES
 - GUIDELINES AND RECOMMENDATIONS ON ARMED GUARDS
- **INDUSTRY RESPONSE**
 - ARMED GUARDS
 - STANDARDISATION



DEFINITIONS



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- Acts of piracy and armed robbery against ships are of tremendous concern to IMO and to shipping in general.
- The fight to prevent and suppress these acts is linked to the measures to improve security on ships and in port facilities, adopted in December 2002.
- The following definition of piracy is contained in article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):
 - **Piracy consists of any of the following acts:**
 - ✦ 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:
 - on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
 - 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
 - any act inciting or of intentionally facilitating an act described in sub-paragraph

Initiatives to counter piracy and armed robbery at sea

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- IMO is implementing an anti-piracy project, a long-term project which began in 1998.
 - Phase one consisted of a number of regional seminars and workshops attended by Government representatives from countries in piracy-infested areas of the world;
 - Phase two consists of a number of evaluation and assessment missions to different regions.
- IMO's aim has been to foster the development of regional agreements on implementation of counter piracy measures.

Joint War Committee List

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JWC Hull War, Piracy, Terrorism and Related Perils Listed Areas (12th June 2013)	
Africa	
Benin	
Eritrea, but only South of 15° N	
Gulf of Guinea, but only the waters of the Togolese, Beninese and Nigerian Exclusive Economic Zones north of Latitude 3° N	
Libya	
Nigeria	
Somalia	
Togo	
Indian Ocean / Arabian Sea / Gulf of Aden / Gulf of Oman / Southern Red Sea	
Waters as defined overleaf	
Asia	
Pakistan	
Indonesia / Malaysia / Philippines	
Borneo, but only the north east coast between the ports of Kudat and Tarakan inclusive	
The port of Jakarta	
Sulu Archipelago including Jolo, as defined overleaf	
Middle East	
Bahrain excluding transit	
Iran	
Iraq, including all Iraqi offshore oil terminals	
Israel	
Lebanon	
Saudi Arabia excluding transit	
Syria	
Yemen	
South America	
Venezuela, including all offshore installations in the Venezuelan EEZ	

LLOYD JWC HIGH RISK LISTING

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- Listing raised insurance costs
- Raised concerns of security in international community
- Fear of international interventions

PIRACY/ARMED ROBBERY PRONE AREAS

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- STRAITS OF MALACCA AND SOUTH CHINA SEA
- GULF OF ADEN
- GULF OF GUINEA

STRAITS OF MALACCA – Armed Robbery

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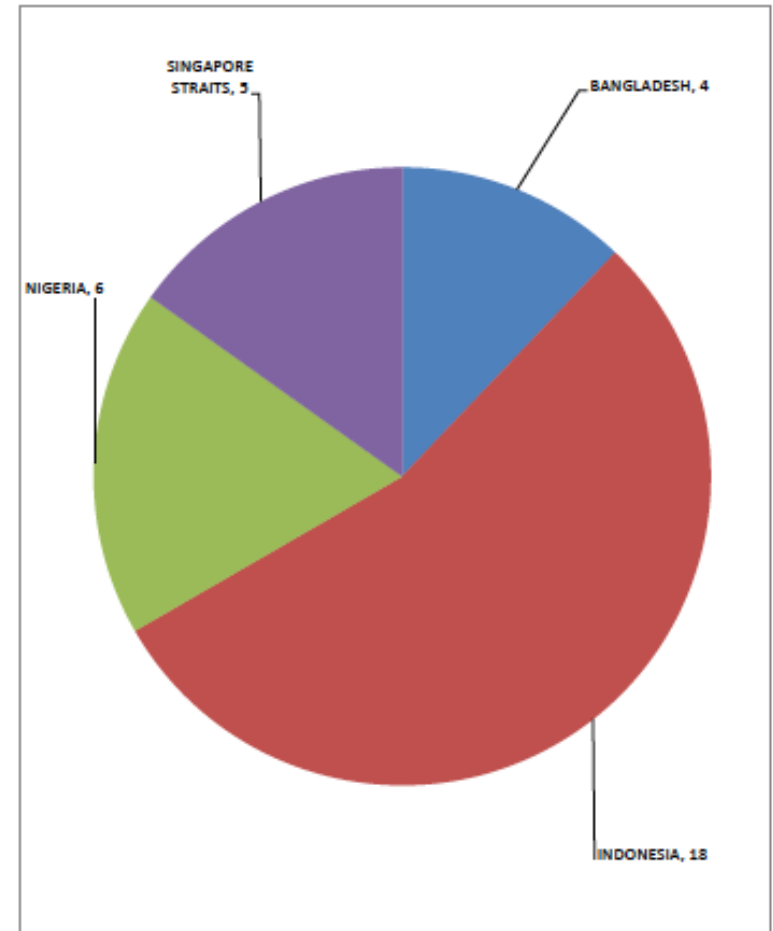
- Raiders symptomatic to socio economic issues on the east coast of Sumatera
- Raid passing ships and ships at anchor – firearms rarely used
- Some attacks connected to marine resource protection

IMB –PRC Quarterly Report 2014

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- Period Covering 1 Jan - 30 Mac 2014

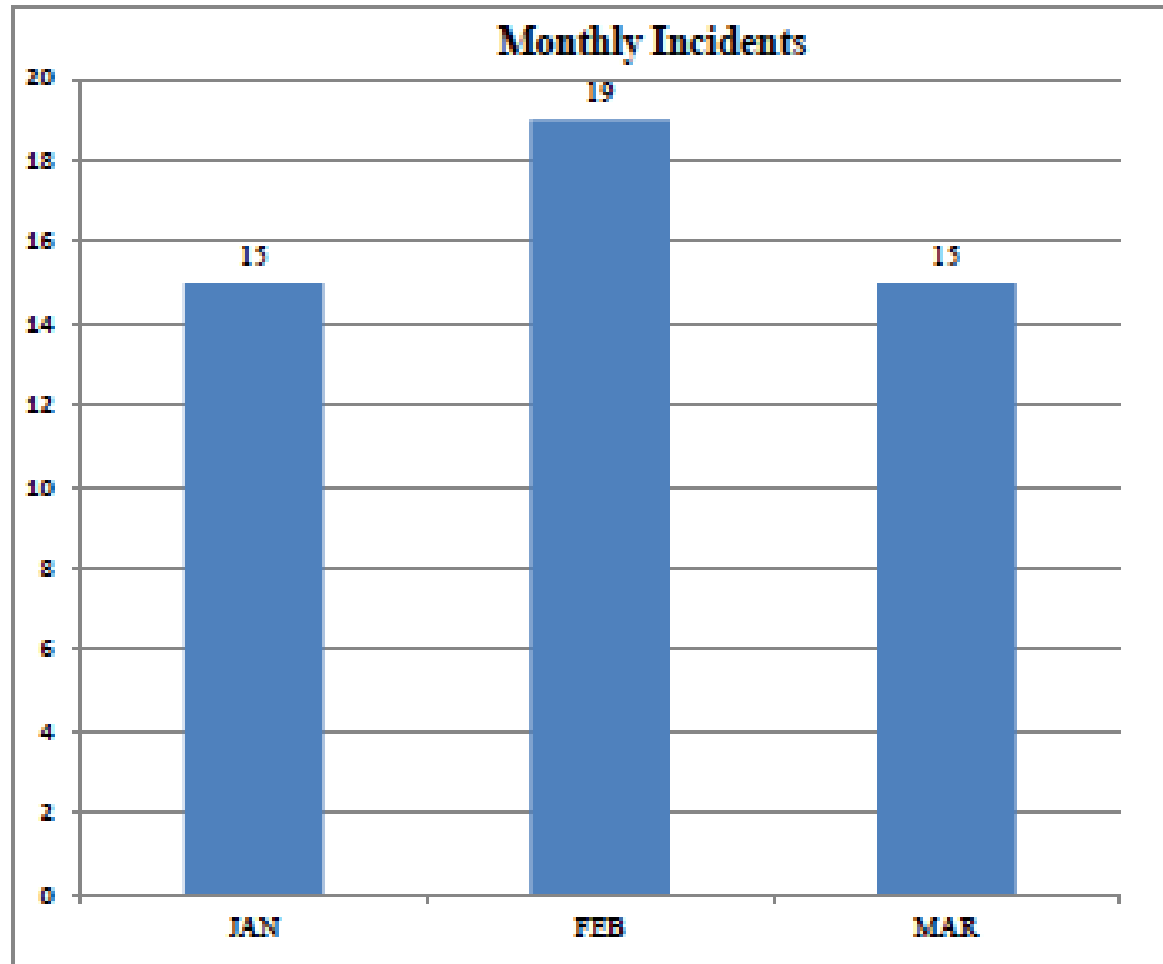
CHART A: THE FOLLOWING FOUR LOCATIONS WERE RESPONSIBLE FOR MORE THAN 65% OF THE TOTAL 49 REPORTED INCIDENTS FOR THE PERIOD.



Monthly Incidents

11

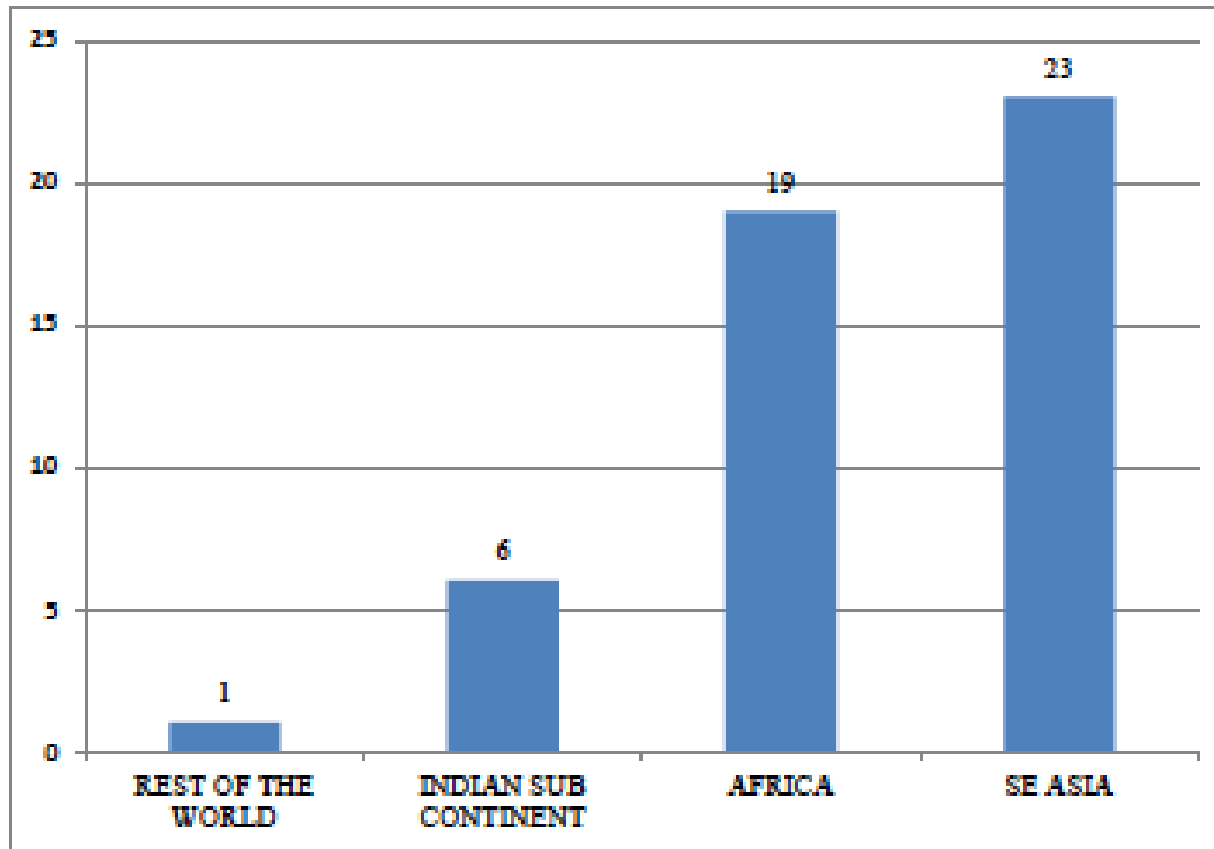
Chart B: Monthly comparison of incidents during January - March 2014



Total Incidents by Region

12

Chart C: Total incidents as per region of the world January – March 2014



STATUS OF SHIPS DURING ATTACK

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TABLE 4: Status of ships during ACTUAL attacks, January – March 2014

LOCATION		BERTHED	ANCHORED	STEAMING
S E ASIA	Indonesia	2	13	3
	Singapore Straits			5
INDIAN	Bangladesh		3	1
SUB CONT.	India		2	
AFRICA	Angola		1	
	Cameroon	1		
	Gabon			1
	Liberia	1		
	Nigeria			2
	Tanzania	1		
	The Congo		3	
Sub total		5	22	12
Total		39		

TYPE OF ARMS USED

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TABLE 6: Types of arms used during attacks, January - March 2009 – 2014

Types of Arms	2009	2010	2011	2012	2013	2014
Guns	59	33	88	48	20	14
Knives	14	11	16	21	19	17
Not stated	29	22	35	31	26	16
Other weapons	-	1	3	2	1	2
Total for three months	102	67	142	102	66	49

ASSESSMENT

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- Between 1 January and 31 March 2014, the IMB PRC has received reports of five incidents including two vessels fired upon.
- The combination of efforts at sea; including the continued presence of the Navies in the region, increased BMP4 compliance, employment of Privately Contracted Armed Security Personnel (PCASP), along with the international efforts on land has resulted in a drop in the number of attacks

REGIONAL RESPONSE

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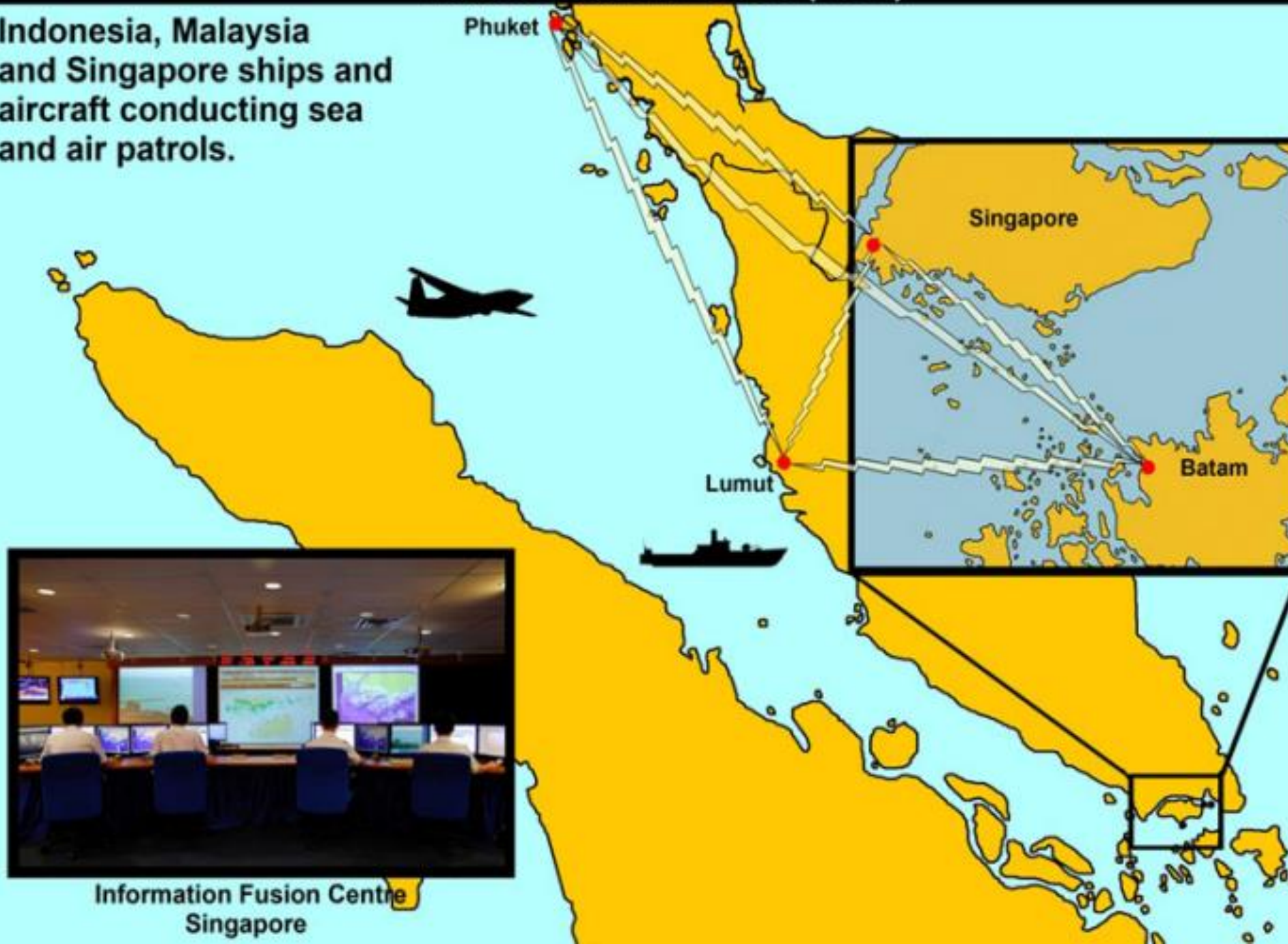
- MSP – Malaysia Singapore, Thailand, Indonesia
 - ✦ Malacca Straits Patrol
 - ✦ Eyes in the Sky
 - ✦ Intelligence Exchange Group

THAILAND-MALAYSIA- SINGAPORE-INDONESIA



Malacca Strait Patrols (MSP)

Indonesia, Malaysia and Singapore ships and aircraft conducting sea and air patrols.



Information Fusion Centre
Singapore

PERSPECTIVES

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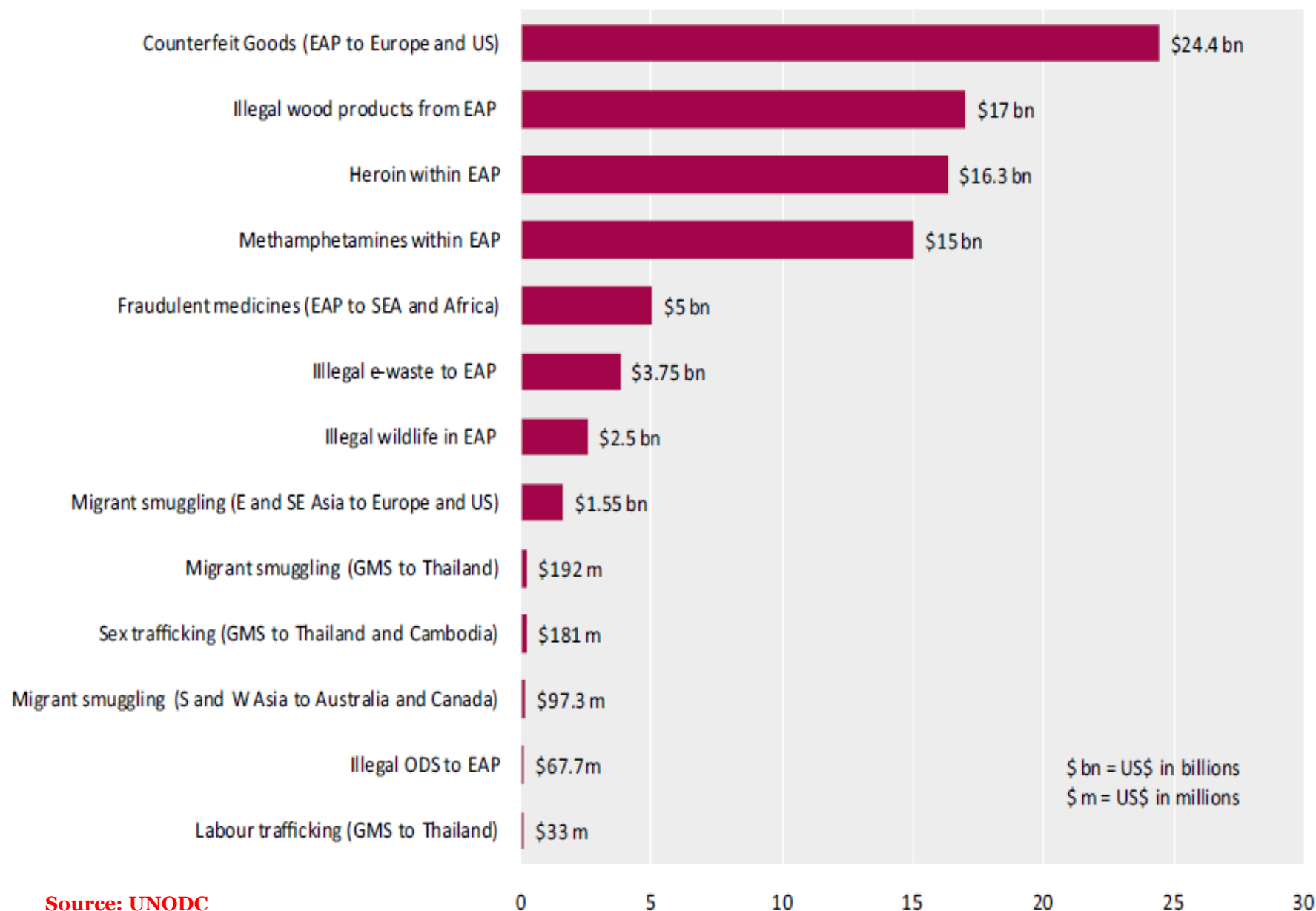
- Then again.....is piracy and armed robbery an isolated incident or part of the Transnational Organised Crime activities.

United Nations Office of Drugs and Crime (UNODC)

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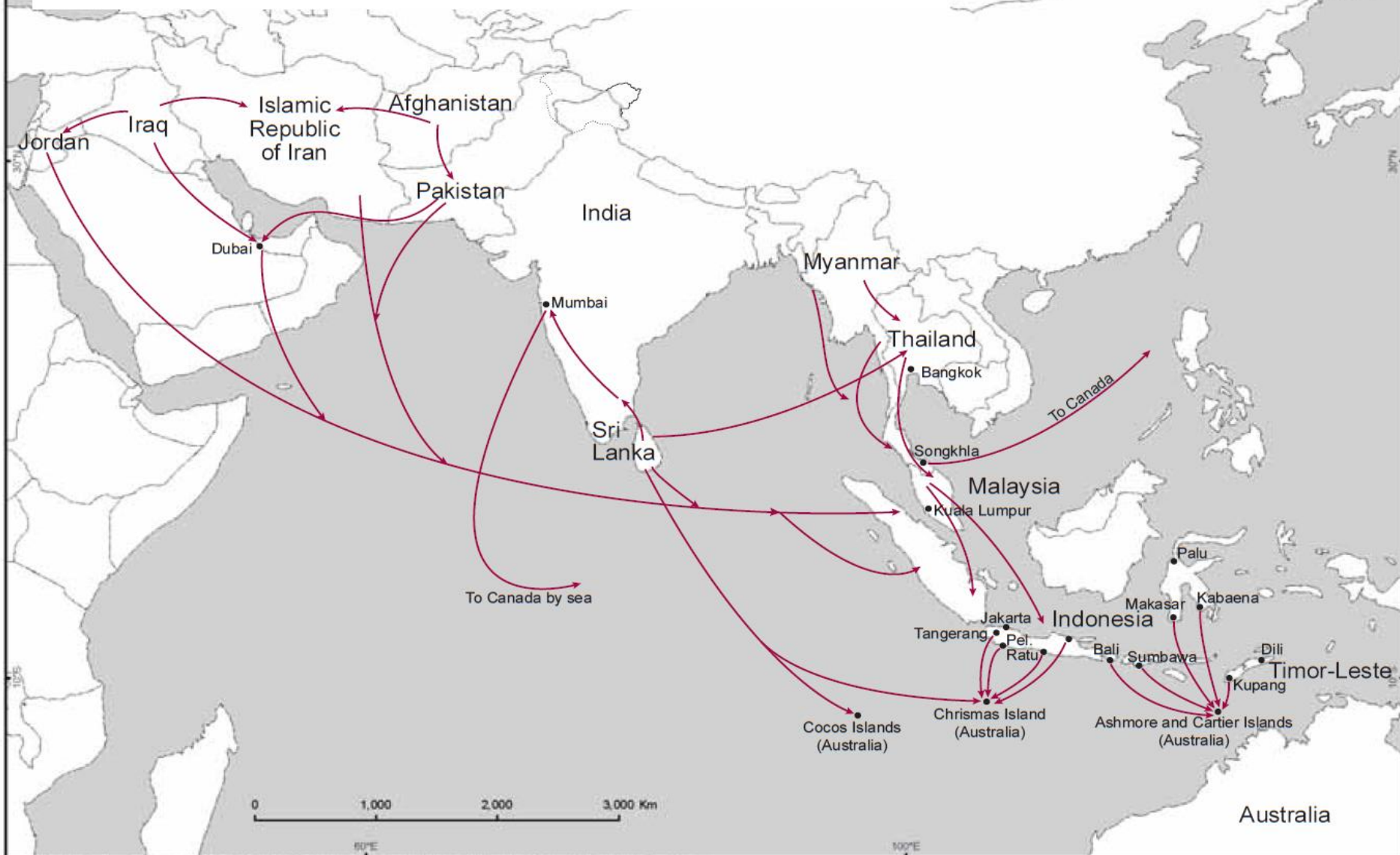
THREAT ASSESSMENT FOR ASIA PACIFIC

Transnational Organized Crime Flows in East Asia and the Pacific discussed in this report



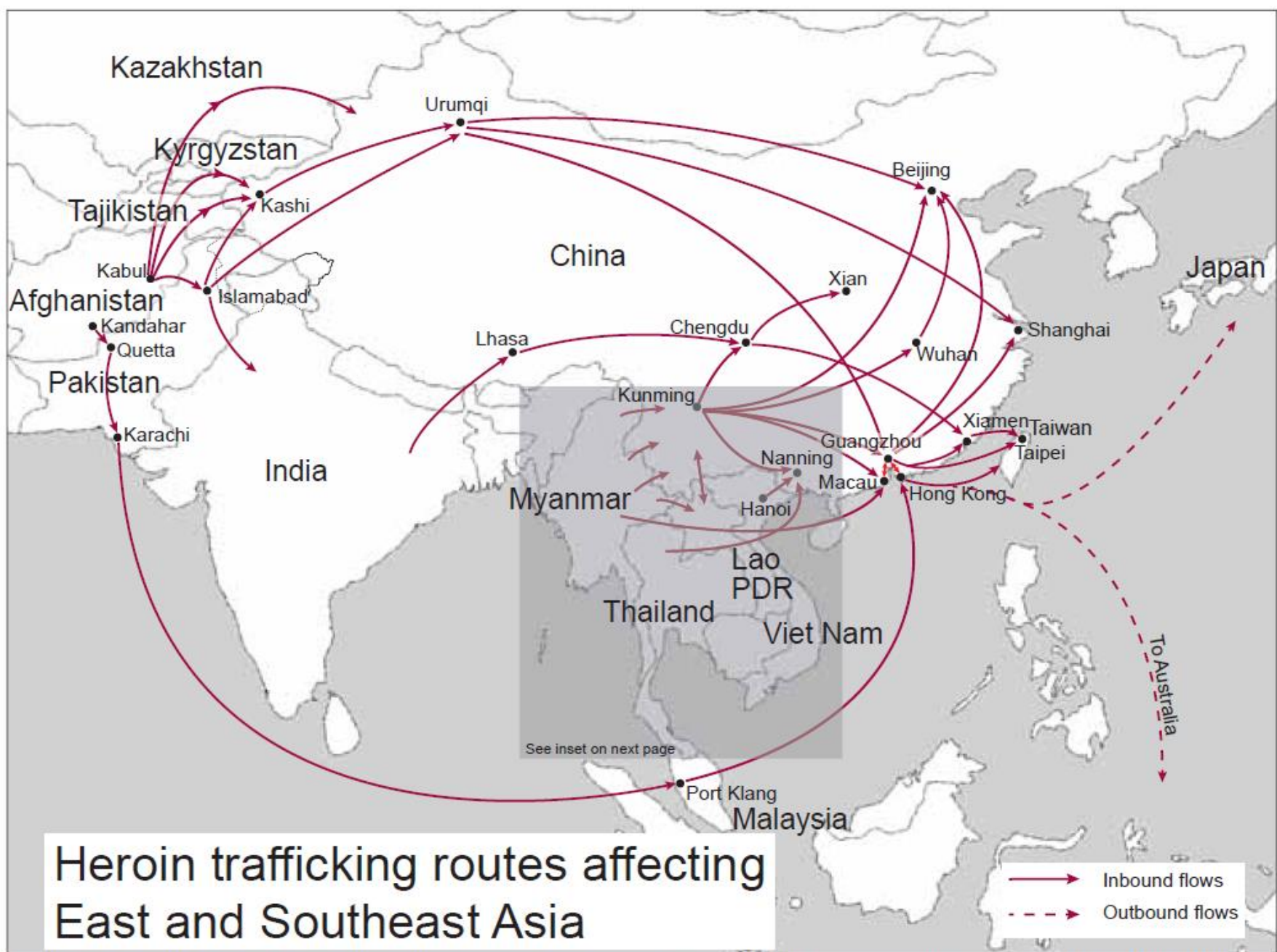
Source: UNODC

Migrant Smuggling to Australia and Canada by sea



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Source: UNODC elaboration based on information from the Indonesian National Police (INP), the Australian Department of Immigration and Citizenship (DIAC) and the Royal Canadian Mounted Police (RCMP)



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Source: UNODC elaboration based on Huifeng and Zugoing (2011) and Zhang and Chin (2007)



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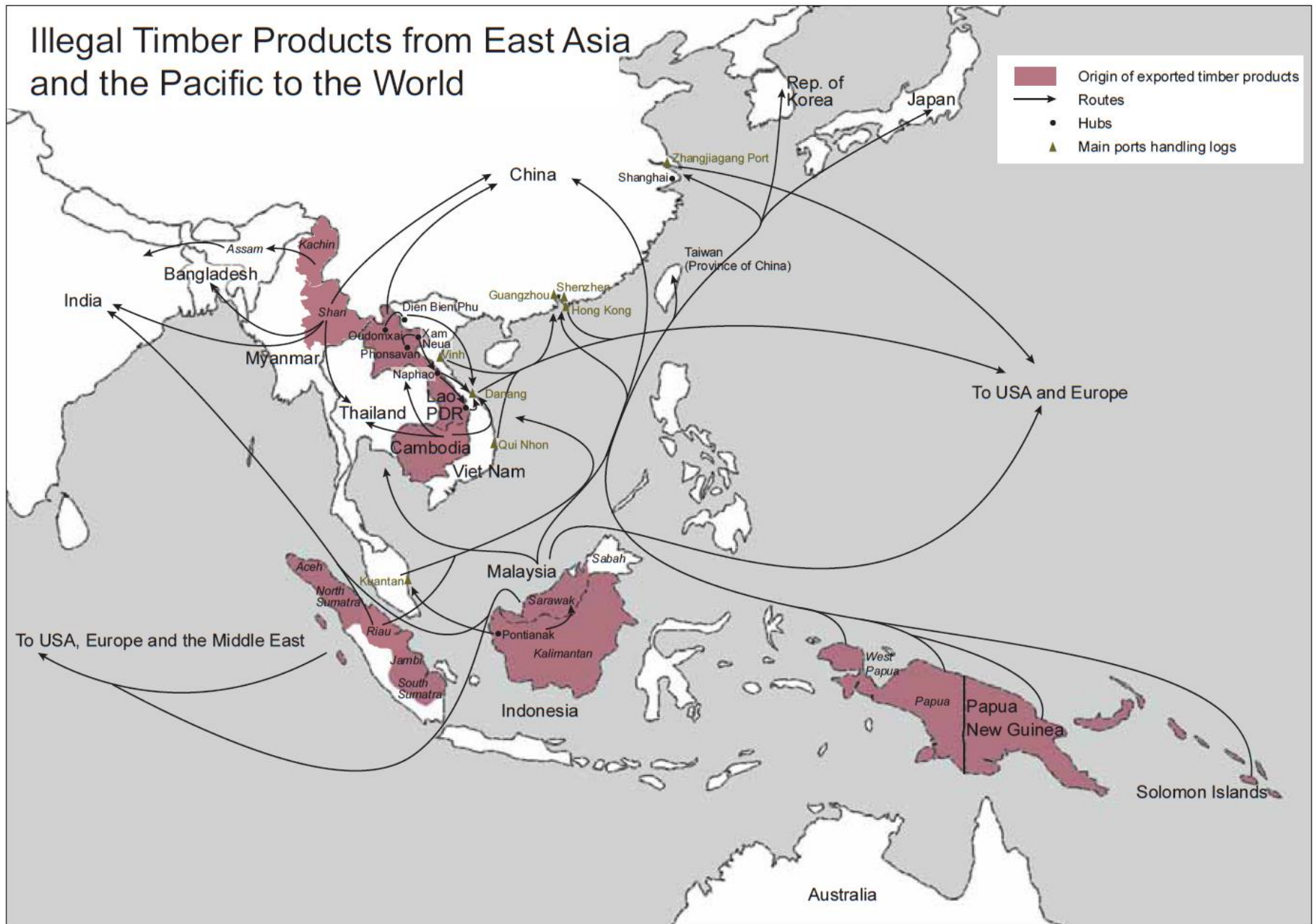
Source: Oswell 2010: p.7



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Source: UNODC elaboration based on Challender 2012

Illegal Timber Products from East Asia and the Pacific to the World



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Source: UNODC

**IS THERE A NEED THEN
TO ADDRESS
COOPERATION IN A
MORE HOLISCTIC
MANNER?**

OBJECTIVE

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LEGITIMATE ECONOMY

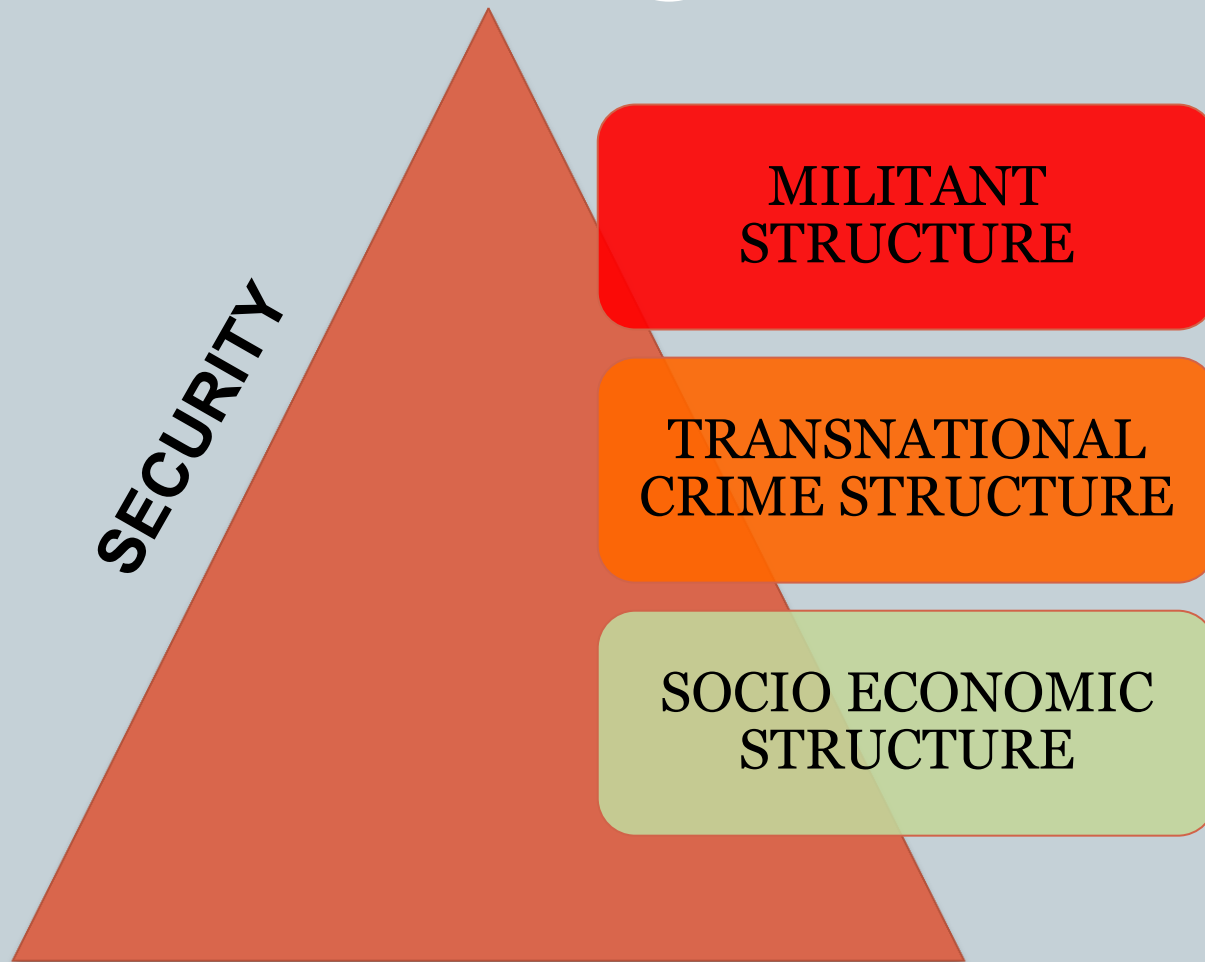
CAPACITY
BUILDING

**GAP REDUCTION -
TARGETTING REGIONAL
TRANSNATIONAL CRIME
LOGISTICS CHAIN**

SHADOW
ECONOMY

CCOPERTING TO ADDRESS THE ROOT

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THE FACT

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ORGANISED CRIME

LAND –SEA NEXUS

SHORTFALLS

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SECURITY

LAND

SEA

6TH ARF ISM MS

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- ARF Maritime Security Work Plan
 - ✦ Priority Area 3 - Capacity Building of Maritime Law Enforcement Agencies
 - ✦ Co-Chairs Malaysia and China
 - ✦ 2014-2016
 - ✦ Concept tabled during 6th ARF ISM MS in Bali

Illegal Cross Border Movements

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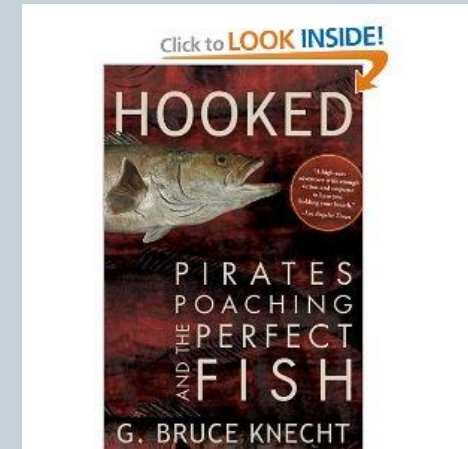
- ✦ People
- ✦ Wildlife
- ✦ Contraband
- ✦ Subsidised goods
- ✦ Vehicles
- ✦ Timber
- ✦ Fuel (bunkering)
- ✦ Weapons (including WMD)
- ✦ Detonators for fish bombing



Illegal exploitation of Marine Life

(34)

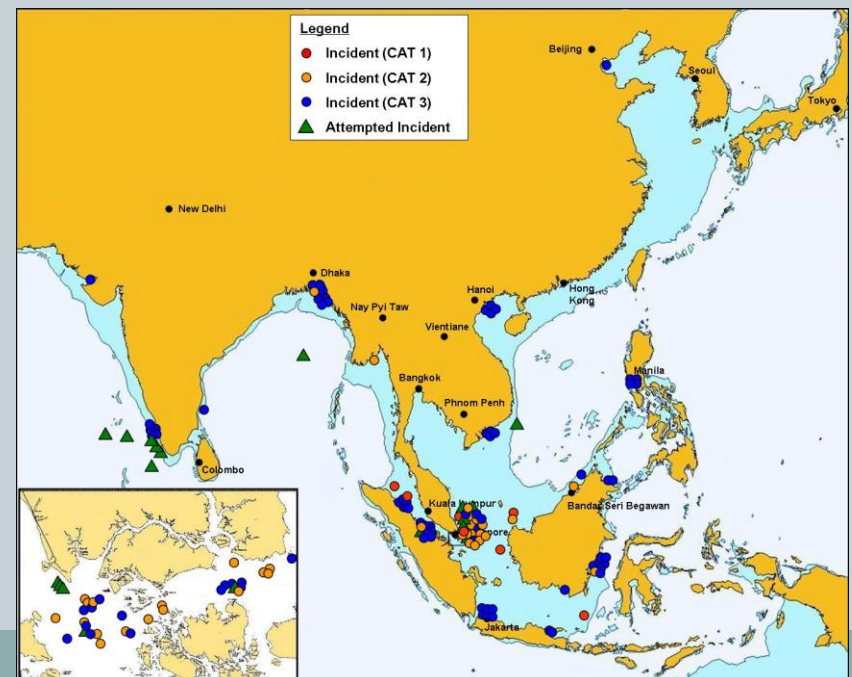
- ✦ Endangered/indigenous species
- ✦ Corals
- ✦ Fish/crustaceans
- ✦ Ornamental fish



Attack on Maritime Communities

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- ✦ Armed attack on coastal communities
- ✦ Piracy
- ✦ Armed Robbery at Sea



Marine Pollution

(36)

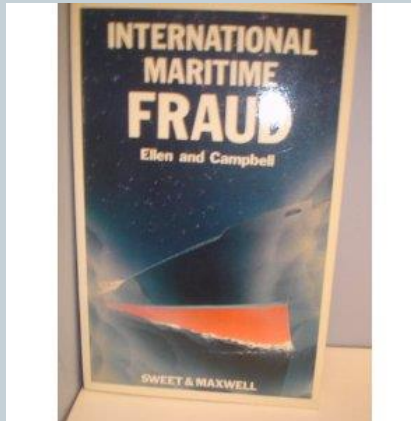
- ✦ Marine life in distress due to pollution



Other maritime related crimes

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✦ Document and Bunkering Fraud



THANK YOU

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