

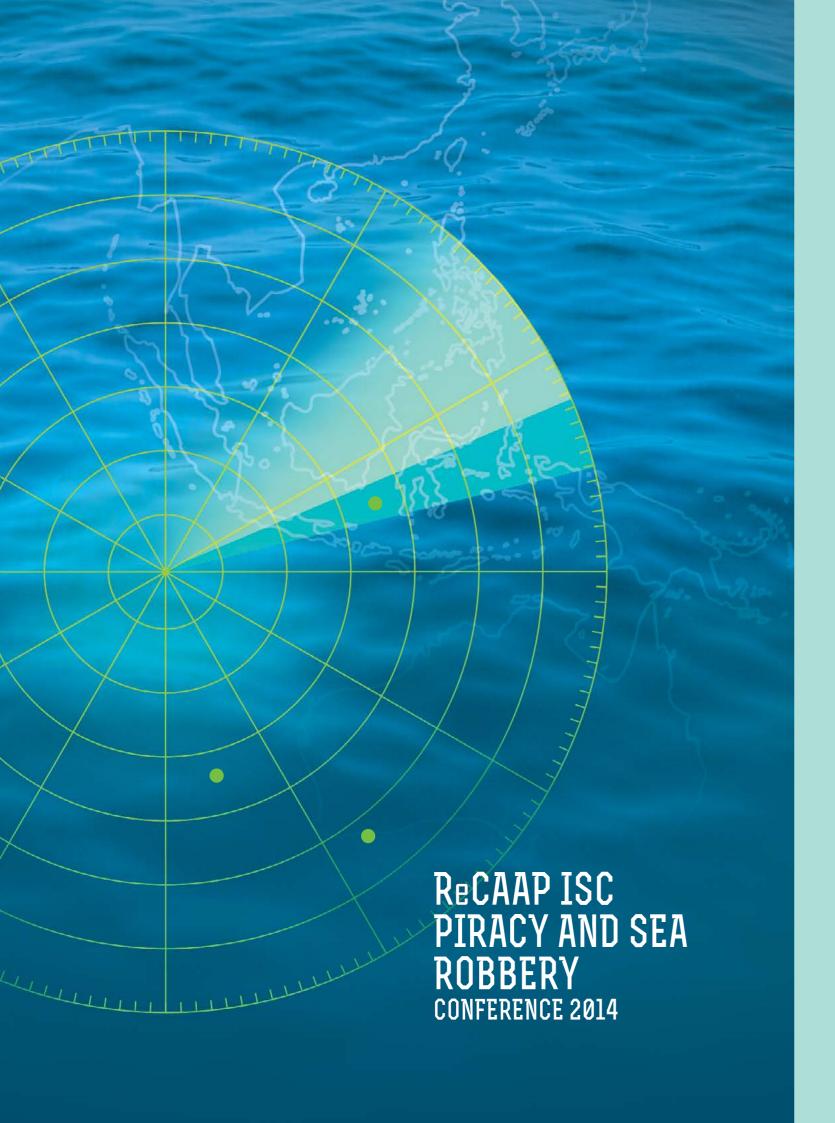
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## ABOUT THE REGIONAL COOPERATION AGREEMENT ON COMBATING PIRACY AND ARMED ROBBERY AGAINST SHIPS IN ASIA (Recaap), and the Recaap Information Sharing Centre (ISC)

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) is the first regional government-to-government agreement to promote and enhance cooperation against piracy and armed robbery in Asia. It was finalized on 11 November 2004 and entered into force on 4 September 2006. To date, 19 States have become Contracting Parties to ReCAAP.

The nineteen Contracting Parties to ReCAAP are Australia, the People's Republic of Bangladesh, Brunei Darussalam, the Kingdom of Cambodia, the People's Republic of China, the Kingdom of Denmark, the Republic of India, Japan, the Republic of Korea, the Lao People's Democratic Republic, the Republic of the Union of Myanmar, the Kingdom of the Netherlands, the Kingdom of Norway, the Republic of the Philippines, the Republic of Singapore, the Democratic Socialist Republic of Sri Lanka, the Kingdom of Thailand, the United Kingdom and the Socialist Republic of Viet Nam.

The ReCAAP Information Sharing Centre (ReCAAP ISC) was established under the Agreement, and was officially launched in Singapore on 29 November 2006. It was formally recognised as an international organisation on 30 January 2007.

The roles of the ReCAAP ISC are to:

 serve as a platform for information exchange with the ReCAAP Focal Points via the Information Network System (IFN); facilitate communications and information exchange among participating governments to improve incident response by member countries; analyse and provide accurate statistics of the piracy and armed robbery incidents to foster better understanding of the situation in Asia;

- facilitate capacity building efforts that help improve the capability of member countries in combating piracy and armed robbery in the region; and
- cooperate with organizations and like-minded parties on joint exercises, information sharing, capacity building programme, or other forms of cooperation, as appropriate, and agreed upon among the Contracting Parties.

The ReCAAP ISC facilitates exchange of information among the ReCAAP Focal Points through a secure web-based Information Network System (IFN). Through this network, the ReCAAP Focal Points are linked to each other as well as the ReCAAP ISC on a 24/7 basis, and are able to facilitate appropriate responses to incident. The agency receiving the incident report will manage the incident in accordance to its national policies and response procedures, and provide assistance to the victim ship where possible. The agency will in turn, inform their ReCAAP Focal Point which will submit an incident report to the ReCAAP ISC and its neighbouring Focal Points.

For more information about the ReCAAP and ReCAAP ISC, please visit <a href="http://www.recaap.org">http://www.recaap.org</a>.

## ABOUT THE BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)

BIMCO is the largest of the international shipping associations, with a membership drawn from a broad representation of stakeholders within the shipping industry, notably from the shipowning community, representing 640 million DWT or about 65% of merchant shipping. With a total membership of approximately 2,600 individual members from 123 countries, composed of shipowners, shipbrokers and agents and other entities with an interest in or associated with the Maritime Industries, BIMCO is widely respected for its practical approach and its opinions and recommendations are regular and important elements in the international governmental organizations' process of creating international standards and guidelines for the shipping industry. BIMCO is accredited as a Non-Governmental Organisation (NGO) and holds observers' status with several United Nations agencies involved with shipping industry matters, notably the International Maritime Organization and working closely together with maritime administrators in e.g. the European Community and the United States. In recognition of its position within the international shipping community, the US Coast Guard formed a partnership agreement with BIMCO to jointly address issues of regulatory compliance and maritime governance in an effort to find practical and workable solutions for shipowners plying US trade. BIMCO is committed to promote fair and equitable international shipping policy and regulatory matters and seeks to continue to be the selected and trusted sparring partner and source of practical information by policymakers and other stakeholders.

## ABOUT INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS (INTERTANKO)

INTERTANKO has been the voice of independent tanker owners since 1970, ensuring that the oil that keeps the world turning is shipped safely,

responsibly and competitively. Membership is open to independent tanker owners and operators of oil and chemical tankers, i.e. non-oil companies and non-state controlled tanker owners, who fulfil the Association's membership criteria. Independent owners operate some 80% of the world's tanker fleet and the vast majority are INTERTANKO members. As of January 2012, the organisation had 240 members, whose combined fleet comprises some 3,100 tankers totalling 250 million dwt. INTERTANKO's associate membership stands at some 330 companies with an interest in shipping of oil and chemicals.

## ABOUT S. RAJARATNAM SCHOOL OF INTERNATIONAL STUDIES (RSIS)

The S. Rajaratnam School of International Studies (RSIS) was officially inaugurated on 1 January 2007. Before that, it was known as the Institute of Defence and Strategic Studies (IDSS), which was established ten years earlier on 30 July 1996. Like its predecessor, RSIS was established as an autonomous entity within the Nanyang Technological University (NTU).

The School exists to develop a community of scholars and policy analysts at the forefront of Asia-Pacific security studies and international affairs. Its three core functions are research, graduate teaching and networking activities in the Asia-Pacific region. It produces cutting edge security related research in Asia-Pacific Security, Conflict and Non-Traditional Security, International Political Economy, and Country and Area Studies.

The School's activities are aimed at assisting policymakers to develop comprehensive approaches to strategic thinking on issues related to security and stability in the Asia-Pacific and their implications for Singapore.

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## EXECUTIVE SUMMARY

The ReCAAP Information Sharing Centre (ISC) jointly organised the ReCAAP ISC Piracy & Sea Robbery Conference 2014 on 8 April 2014 with BIMCO, INTERTANKO and S. Rajaratnam School of International Studies (RSIS). The theme of the Conference was "Piracy and Sea Robbery: Emerging Challenges". The Conference featured presentations by distinguished speakers from the maritime and international organisations; and discussions between distinguished panelists and participants comprising local government agencies, ambassadors, and representatives from local embassies, local and international shipping associations, shipping companies and research institutions.

The Conference provided a platform for sharing and interactive discussion between speakers and the audience. It consisted of two panel discussions: 1st Panel on "Evolving Challenges", and 2nd Panel on "Converging Solutions". 1st Panel addressed two main themes, namely the nature and evolution of piracy and sea robbery, and threats and challenges encountered in recent years. In addressing the challenges, the 2<sup>nd</sup> Panel discussed solutions in several areas, namely international maritime security cooperation, security measures at ports and anchorages, and the role of collaborative institutions such as the ReCAAP ISC and the Information Fusion Centre (IFC). The sharing and discussion drew overwhelming responses and comments from the participants.



### WELCOME REMARKS



His Excellency Dr. Pornchai Danvivathana Chairperson of the ReCAAP Information Sharing Centre (ISC) Governing Council

His Excellency Dr. Pornchai Danvivathana welcomed while incidents were generally less violent, certain all participants to the ReCAAP ISC Piracy and Sea Robbery Conference 2014 with theme "Piracy and particularly tug boats and barges. Sea Robbery: Emerging Challenges".

Compared with 2013, this year's conference saw an increase in the number of participants, including representatives from distinguised national shipping National Shipowners' Association (INSA) and Malaysia Shipowners' Association (MASA).

The ReCAAP ISC Piracy and Sea Robbery Conference is a major annual event conducted by the ReCAAP ISC jointly with BIMCO, INTERTANKO and RSIS during the Singapore Maritime Week targeting both local and overseas shipping and maritime community. In his welcome remarks, Dr. Pornchai pointed out that the 2013 conference with theme "Counterpiracy: Challenges, Responses and Lessons Learned" had generated much enlightening discussion and surfacing of new ideas towards countering piracy and sea robbery. As a result, the modality of this year's conference took after that of last year's, and also adopted similar theme although more genetic in nature compared with last year's.

Dr. Pornchai emphasized that in the last five years, the region has seen a reduction in the severity of reported incidents. Most of the incidents reported in 2013 were of least severity in nature, including petty thefts which accounted for 77% of the total incidents. Recent statistics showed that the situation has improved in the first quarter of 2014. However,

vessels were boarded more frequently than others,

Drawing lessons learned from the Hollywood movie 'Captain Philips,' Dr. Pornchai reminded the audience the importance of vigilance and best management practices (BMP) adopted by master and crew. Noting the emergence of certain trends and new modus operandi of pirates and robbers, he highlighted the urgent need for the ReCAAP ISC to work closely with the authorities and shipping community. He further added that the theme for the 2014 conference was therefore timely and appropriate.

With favourable feedbacks drawn from the panel discussion in 2013 conference, the 2014 conference would be convened in the same modality and the programme has catered for two discussion sessions. Dr. Pornchai hoped that this format would enable better and free sharing of views among the panelists and participants on the challenges of piracy and sea robbery, and ways to tackle them.

In conclusion, Dr. Pornchai believed that the conference was a useful platform for sharing best practices and lessons learned through case studies among the ReCAAP ISC, ReCAAP Focal Points, governmental agencies and shipping industry. Attesting to the steady development of the ReCAAP ISC since 2006, the vision of the ReCAAP ISC is to be a hub for sharing information related to piracy and sea robbery, an initiative which is being emulated by similar centres in the other regions of the world.

#### SITUATION ON PIRACY AND ARMED **ROBBERY AGAINST** SHIPS IN ASIA



Ms. Lee Yin Mui Assistant Director (Research), ReCAAP ISC

The Assistant Director (Research), Ms. Lee presented the annual situation of piracy and armed robbery against ships in Asia in 2013 compared with past four years, and the latest update of the situation for the first quarter (January-March) of 2014.

There has been an improvement in the situation of piracy and armed robbery in 2013, with the lowest number of CAT 1 (very significant) and CAT 2 (moderately significant) incidents reported compared to past four years. Ms Lee added that most of 2013 incidents were less significant (or CAT 3) incidents and petty thefts. However, Ms. Lee noted that while the severity of incidents has decreased, the number of such incidents has increased. This trend may be attributed to underreporting in previous years, and perhaps greater awareness to report among the maritime community in recent years.

In 2013, approximately 80 percent of the incidents occured at ports and anchorages, with two-thirds reported in Indonesian waters. For incidents involved vessels while underway, 70 percent occurred in the Straits of Malacca and Singapore (SOMS) and the South China Sea (SCS). Incidents in the SCS were relatively more severe in nature, with seven out of 10 incidents involved robbers armed with guns and knives. In comparison, incidents in SOMS were relatively less severe, characterised mostly by CAT 3 and petty thefts.

Overall, the number of incidents reported during the first quarter of 2014 was fairly consistent compared to the same period in 2013. Two-third of incidents were classified as CAT 3 and petty theft.

In SOMS, Ms. Lee noted a shift in the type of vessels being targeted. While tug boats and barges have been frequently targeted in 2010-2013, the first quarter of 2014 saw more incidents involving medium size product tankers, bulk carriers and general cargo vessels.

Ms. Lee observed a new modus operandi involving tug boats and barges, where barges were targeted instead of tug boats. In some cases, a large group of robbers (about 20 people) would board the barge to steal cargo or items such as scrap metal before escaping. Ms. Lee shared this new modus operandi in two case studies, involving Malaysia-registered tug boat, Juara and its towed barge, Smooth 1. About 20 robbers in four boats approached and boarded the barge while it was underway in the Singapore Straits Traffic Separation Scheme (TSS). The second case study involved tug boat, SG Victory, which was towing a scrap vessel, MV Chan to Chittagong Outer Anchorage. On 20 February 2013, robbers in five boats boarded MV Chan and stole scrap metal, and escaped. The following day, the ship master reported the incident to the Bangladeshi authorities who later apprehended nine robbers, detained two mechanized boats and recovered the stolen items.

In response to the situation, Ms. Lee urged master and crew to enhance vigilance and make immediate reporting to nearest coastal state; and the authorities to step up surveillance, increase presence and response promptly to all incidents reported to them.

#### 1<sup>ST</sup> PANEL DISCUSSION: **EVOLVING CHALLENGES**

#### **MODERATOR**

Dr. Euan Graham

Senior Fellow, Maritime Security Programme, S. Rajaratnam School of International Studies (RSIS)

#### **SPEAKERS**

Mr. Tim Wilkins

Regional Manager, Asia-Pacific, INTERTANKO

#### Captain Don Philip Nimal Kannangara

Senior Marine Consultant, Goodmarine International Surveys & Services Pte Ltd

#### Mr. Denys Hickey

Partner, Ince & Co Singapore



Moderated by Dr. Euan Graham, the first panel discussion addressed two main themes, namely the nature and evolution of piracy and sea robbery, as well as the threats and challenges over the last years. Dr. Graham posed three questions to the panelists:

- How is the nature of piracy and sea robbery evolving in Asia?
- How does maritime crime evolve within regional ports and anchorages?
- What issues and challenges does piracy and sea robbery pose for regulatory and legal aspects?



The evolving nature of piracy and sea robbery

Mr. Tim Wilkins addressed the first question by comparing piracy and sea robbery in three regions: the Gulf of Aden, Gulf of Guinea, and Southeast Asia. He added that there has been a significant reduction in piracy and sea robbery incidents in the Gulf of Aden between 2010 and 2013. Mr. Wilkins also compared the nature of piracy in Gulf of Aden with that in the Gulf of Guinea. While pirates in the Gulf of Aden kidnapped seafarers for ransom, the Gulf of Guinea is charaterised more by armed robbery vis-à-vis, stealing of its cargo. Piracy in the Gulf of Aden is also precipitated by lawlessness, whereas Gulf of Guinea pirates come from a governed state, viz. Nigeria. Due to the different nature of piracy in the two regions, the solutions are also different. While piracy in the Gulf of Aden can be curbed with the presence and intervention of foreign navies and armed guards; piracy/armed robbery in the Gulf of Guinea requires a different approach as most incidents took place within territorial waters which prohibit the presence of foreign navies and the use of armed guards onboard merchant vessels.

As in the two regions, the nature of piracy and sea robbery in Asia is also unique. Asia is mainly characterised by CAT 2, CAT 3, and petty theft incidents, especially in anchorages around Pulau Nipah and Pulau Karimun. While the level of violence seen in these incidents is significantly lower compared to the Gulf of Aden and Gulf of Guinea, the danger of complacency could potentially escalate the scale of incidents. Mr. Wilkins exemplified such concerns over the illegal siphoning of fuel from vessels through ship-to-ship transfer (STS). To respond against this kind of threat, Mr. Wilkins advised seafarers to

implement effective BMPs and maintain vigilance when transiting through, or loitering in the vicinity of Pulau Nipah and Pulau Karimun anchorages.



#### Maritime crime at ports and anchorages in Asia

Offering a seafarer's perspective in addressing the second question, Captain Don Philip likened the prevention of piracy and sea robbery at ports and anchorages akin to guarding a house. The more vulnerable the house, the more likely it is going to be robbed. Likewise, seafarers must avoid making themselves vulnerable at ports and anchorages. This is especially so as ports and anchorages in Asia are getting more congested with ships which commensurated with the growing regional economy and trade. Captain Philip cautioned that incidents usually occur in the early morning hours (between 0100 and 0600 hrs) when the crew on watch was usually half-asleep. This condition can be aggravated by darkness such as in a no moonlight night. To counter these threats, ship masters must continously work together with port agents to improve vigilance and provide added security to deter or prevent armed robbers from getting onboard.

Mr. Denys Hickey addressed the third question from a legal perspective. He acknowledged that the recent downtrend in piracy and sea robbery incidents in the Gulf of Aden have largely been attributed to the naval counter-piracy patrols, the implementation of BMP, and the use of armed guards. Despite the downturn, it would be premature for seafarers to let down their guard so long as Somalia continues to be lawless and bereft of any meaningful solution ashore. However, the trend of piracy and sea robbery in Asia has been much lower in scale and intensity. What happened mostly was petty theft which involved

smaller vessels. However, it would be difficult to generalise the trend of incidents, as different areas exhibited different patterns. Regardless of these differences, there must be tough responses from coastal State authorities in order to deter crime at sea lest the trend might evolve into a larger and more dangerous scale.

On the issue of potential drawdown by the foreign navies at the Gulf of Aden - while acknowledging a downturn in piracy attacks, all panelists warned about the danger of complacency. Seafarers should continue reporting in order to keep navies aware of the problem and understand the kind of assistance they are providing. Navies form the third pillar of reducing piracy attacks in the Gulf of Aden, in addition to the implementation of BMP and the use of armed guards. Unless a long-lasting and effective solution is found ashore (in Somalia), there is a continous need for multinational naval task force to be present, as the risk of piracy still remains.

The panelists also agreed that the root causes of piracy and sea robbery are on land. For example, theft of scrap metals requires a buyer on land or scrap metal dealers to receive the bounty. Likewise, siphoning of oil is facilitated by the high price of oil and demand for it, although the perpetuators appeared to be more organized. Given its land-based business model, maritime crime could only be dealt with effectively on land.



### Regulatory and legal aspects of piracy and sea robbery

Besides naval patrols, the implementation of BMP, and the use of armed guards, a panelist suggested that some improvisation to existing security measures





Engaging panelists with questions from participants

may be required, such as increasing the amount of lighting onboard pointing out at sea. Such measures could be useful to deter petty thefts. Another panelist reminded all that ships must anchor within port limits. Anchoring outside the port limits could put ships beyond the control and security of port authorities. This would make them more vulnerable to pirates and robbers.

With reference to a query on the fine distinction between sea robbery/petty theft and piracy, it was argued that insurers and underwriters are concerned about the risks however small they might be. So long as theft incidents are reported; there exists a risk of the vessel being damaged or the crew being harmed. Such a risk will increase the cost of insurance premium. The solution is for local authorities to increase presence and enforcement in certain localities where incidents are likely to occur. Of course, the quality and quantity of information is necessary to establish the nature of the incident. Hence, the role of information-sharing centres, such as the ReCAAP ISC, is paramount for the authorities to take the appropriate precautionary measures in areas of concern.

## 2<sup>ND</sup> PANEL DISCUSSION: CONVERGING SOLUTIONS

#### **MODERATOR**

Dr. Euan Graham

Senior Fellow, Maritime Security Programme, RSIS

#### **SPEAKERS**

LTC (Retd) Nicholas Teo

Deputy Director, ReCAAP ISC

#### Mr. Giles Noakes

Chief Maritime Security Officer, BIMCO

#### **COL Giam Hock Koon**

Commander, Maritime Security Task Force (MSTF), Republic of Singapore Navy (RSN)



The second panel discussion focused on solutions to the challenges arising from piracy and sea robbery discussed in the first panel. The panel discussed solutions in several areas, namely international maritime security cooperation, security measures at ports and anchorages, and the role of collaborative institutions such as the ReCAAP ISC and the Information Fusion Centre (IFC).

COL Giam Hock Koon, Commander of the Maritime Security Task Force (MSTF) expressed three broad areas in which the Republic of Singapore Navy (RSN) and the IFC are featured as part of the solution in tackling the challenges at hand. Firstly, it is the coastal State responsibility to enforce law and order within jurisdictional waters. The RSN and Singapore Police Coast Guard (PCG) take the issue of piracy and



sea robbery very seriously, and worked very closely to ensure that there are no piracy or sea robbery incidents reported within Singapore's territorial waters and jurisdiction.

Secondly, the RSN is actively involved in operational collaboration established with neighbouring countries. Coordinated patrols with Indonesia and Malaysia in the Straits of Malacca and Singapore, and the Malacca Straits Patrol involving four littoral States, i.e. Indonesia, Malaysia, Singapore and Thailand, are such examples. Collaboration is also undertaken in the realm of information sharing through the IFC. The IFC does not only share information, but also cue responses for operational action. Timely reports enabled effective response to incidents, such as the hijacking of MV Zafirah in November 2012.

The third area of cooperation is involvement of the shipping community. The IFC holds regular shared awareness meetings with the shipping community to share situational updates and to talk about best management practices. In addition to make timely reports, COL Giam also stressed that the shipping community should also properly vet their crew, as some incidents have confirmed the collusion or involvement of ship crew. The possibility of "insider's job" should not be ruled out.

Mr. Giles Noakes echoed COL Giam's assessment on the need to effectively implement BMP, especially at ports and anchorages. Mr. Noakes cautioned about the danger of complacency in the region as highlevel attacks or CAT 1 incidents are declining, while armed robbery and petty theft incidents are on the increase. This trend should not only be attributed to a lack of effective law enforcement, but also to a lack of effective implementation of the International Ship and Port Facility Security (ISPS) Code. There are not many regional ports that effectively implement the ISPS Code, due partly to its voluntary nature. In order to share the high costs associated with implementing the ISPS Code, the possibility of public-private partnership could be considered.



LTC (Retd) Nicholas Teo asserted that maritime crimes have evolved overtime. In 2000s, there were cases of phantom ships, which were followed by hijackings of tug boats and barges in the last five to six years. There was much expectation on law enforcement to do more. However, limited assets and resources has always been a constraint. This is why the shipping industry should never take security measures for granted. Apart from effectively implementing BMP, seafarers should make timely reporting whenever incidents occur and report to the right agencies responsible for the area.



To reiterate the distinctions between the ReCAAP ISC and IFC in brief, while the set up and membership between the two may differ, the most important takeaway is that the ReCAAP ISC and IFC are actively and seamlessly sharing information to enable them

to collate and complete a jigsaw of separate and partial information, which can then be used to cue operational responses by the relevant agencies.

In exploring avenues for public – private partnership, the issue of contribution of private assets was raised and discussed, where such partnership can be utilized to improve security in anchorages by buying simple assets that would complement those belonging to local authorities/governments.

With reference to challenges within regional waters, and the commitment of littoral States in tackling these challenges, it was acknowledged that Indonesia is indeed facing tremendous challenges to secure its vast maritime territory with limited assets. Despite such challenges, Singapore maintains excellent operational cooperation with Indonesia to tackle piracy and sea robbery, including increasing patrols around Nipah anchorage. While Indonesia and Malaysia are not contracting parties to ReCAAP, they have cooperated with the ReCAAP ISC at operational level.





Networking among participants

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## CLOSING REMARKS

Mr. Yoshihisa Endo declared the Piracy and Sea Robbery Conference 2014 a success. He thanked all participants, speakers and co-organisers from INTERTANKO, BIMCO and RSIS for contributing towards that success. Mr. Endo reiterated Dr. Pornchai's warning about the danger of complacency. He reminded the participants to keep sharing information in a timely manner, and that no information is too trivial.

His Excellency Dr. Michael Pulch commended the work of the ReCAAP ISC has done thus far. He noted that around 80 percent of the world's container fleets are owned by European companies. This is an important incentive for the European Union (EU) to be involved in regional maritime security discussions and initiatives by the ReCAAP ISC. With this commonality of interests, the EU is looking forward to greater cooperation with the ReCAAP ISC. Thereafter, Dr. Michael Pulch invited all participants attending the ReCAAP ISC Piracy and Sea Robbery Conference to a reception hosted on behalf of the European Commission.



**Mr. Yoshihisa Endo**Executive Director, ReCAAP ISC



**His Excellency Dr. Michael Pulch**Ambassador and Head of Delegation of the European Union (EU)



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#### 4. Denys Hickey

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#### 5. Capt. Don Philip Nimal Kannangara

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#### 6. COL Giam Hock Koon

Commander Maritime Security Task Force (MSTF) Republic of Singapore Navy (RSN)

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Chief Maritime Security Officer

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81. Nicole Benny

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Information Fusion Centre (IFC)

83. Nordin Mat Yusoff

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**84. Nurul Fitrah**Maritime and Port Authority of Singapore (MPA)

**85. Pang Yock Foo**Maritime and Port Authority of Singapore (MPA)

**86. Pathare**BW Fleet Management

**87. COL(NS) Patrick Chua**BP Singapore

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**89. Peter Wong**IMC Industrial Group

**90. Poh Keng Hian** Wigetworks Pte Ltd

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**93. Pratojanjuri**Maritime and Port Authority of Singapore (MPA)

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Correct as at 7 July 2014

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