

ReCAAP ISC PIRACY AND SEA ROBBERY CONFERENCE 2015

REPORT



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23 APRIL
2015

Separating Facts
From Fiction

Jointly Organised by:



INTERTANKO



S. RAJARATNAM
SCHOOL OF
INTERNATIONAL
STUDIES

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, 20 States have become Contracting Parties to ReCAAP.

The 20 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, the United States of America 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.

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 with 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 <http://www.recaap.org>.

About the Baltic and International Maritime Council (BIMCO)

BIMCO is the world's largest international shipping association, with 2,300 members in around 130 countries. We provide a wide range of services to our global membership – which includes shipowners, operators, managers, brokers and agents.

BIMCO's core objective is to facilitate the commercial operations of our members by developing standard contracts and clauses, and providing quality information, advice and education.

BIMCO promotes fair business practices, free trade and open access to markets and we are a strong advocate for the harmonisation and standardisation of all shipping related activity.

BIMCO actively promotes the application of globally agreed regulatory instruments – we are accredited as a Non-Governmental Organisation (NGO) with all relevant United Nations agencies and other regulatory entities.

About International Association of Independent Tanker Owners (INTERTANKO)

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. As of January 2015, the organisation had 204 members, whose combined fleet comprises some 3,077 tankers totalling over 270 million dwt. INTERTANKO's associate membership stands at some 236 companies related to the tanker industry.

INTERTANKO stands for safe transport, cleaner seas and free competition.

About S. Rajaratnam School of International Studies (RSIS)

The S. Rajaratnam School of International Studies (RSIS) is a professional graduate school of international affairs at the Nanyang Technological University, Singapore. RSIS' mission is to develop a community of scholars and policy analysts at the forefront of security studies and international affairs. Its core functions are research, graduate education and networking. It produces cutting-edge research on Asia Pacific Security, Multilateralism and Regionalism, Conflict Studies, Non-Traditional Security, International Political Economy, and Country and Region Studies. RSIS' activities are aimed at assisting policymakers to develop comprehensive approaches to strategic thinking on issues related to security and stability in the Asia Pacific.

For more information about RSIS, please visit www.rsis.edu.sg.

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Separating Facts
From Fiction

TRUTH





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EXECUTIVE
SUMMARY

Executive Summary

The ReCAAP ISC, BIMCO, INTERTANKO and RSIS jointly organised the Piracy and Sea Robbery Conference 2015 on 23 April 2015 at Sands Expo & Convention Centre, Marina Bay Sands, Singapore. This was the seventh in the series of the annual ReCAAP ISC Piracy and Sea Robbery Conferences held in conjunction with the Singapore Maritime Week 2015. The theme of this Conference was 'Separating Fact from Fiction'.



“The audience participated actively, debating and discussing intensively at both panel discussions, posing numerous thought-provoking questions based on different perspectives.”

The Conference provided a platform for sharing of views, best practices, lessons learned and challenges among the ReCAAP ISC, local and international shipping associations, shipping companies, enforcement agencies, and academic institutes. For the first time, the Conference comprised two scenario-based incidents which was discussed by respective stakeholders who shared their perspective on the current practices, challenges and best practices in response to the incidents being discussed. The 1st Panel discussed the scenario of a sea robbery incident onboard a vessel at anchor; and the 2nd Panel discussed an incident involving ship fuel/oil siphoning. The panellists for the two Sessions comprised representatives from the ReCAAP ISC, local and international shipping associations, Company Security Officer (CSO), and enforcement agency. The two panel discussions were moderated



by Mr. Abd. Rahim Hussin who was the former Undersecretary of the Malaysia's National Security Council. The audience participated actively, debating and discussing intensively at both panel discussions, posing numerous thought-provoking questions.

Executive Summary



The Welcome Remarks were delivered by Executive Director of the ReCAAP ISC, Mr. Yoshihisa Endo, on behalf of Ambassador Dr. Pornchai Danvivathana, Governor (Thailand), also the Chairperson of the ReCAAP ISC Governing Council. Due to the security situation in Yemen, the Ambassador who is responsible for Thai nationals, had been instructed to stay in the post. Therefore, regrettably, he was not able to make it and had delegated his role to Mr. Yoshihisa Endo.

After the Welcome Remarks was the Keynote Address delivered by the IMO's Assistant Secretary-General, also the Director for Maritime Safety Division, Mr. Andrew Winbow. After which, a message from the United Nations (UN) Under-Secretary-General for Political Affairs, Mr. Jeffrey Feltman in appreciation of what the ReCAAP ISC has been doing, was read out at the Conference.

The Conference also incorporated a presentation by INTERPOL General Secretariat's Maritime Security Sub-Directorate, Mr. John Barry on piracy attacks in Southeast Asia highlighting the transnational nature of piracy incidents, its trends and modus operandi.

The Conference was attended by some 160 participants from various fields and regions, demonstrating the ReCAAP to be a body of strong relevance not only in the regional maritime community and but also international maritime community. It also demonstrated the successful outcome of the ReCAAP ISC's outreach efforts to strengthen its networking and partnership with relevant stakeholders who share the common objective to 'make the sea in Asia safe'.



WELCOME
REMARKS

Welcome Remarks

MR. YOSHIHISA ENDO

Executive Director, ReCAAP ISC

on behalf of

HIS EXCELLENCY DR. PORNCHAI DANVIVATHANA

Chairperson of the ReCAAP ISC Governing Council

On behalf of the Chairperson of the ReCAAP ISC Governing Council, His Excellency Dr. Pornchai Danvivathana, Mr. Yoshihisa Endo welcomed all participants to the ReCAAP ISC Piracy and Sea Robbery Conference 2015. He extended his sincere gratitude to Mr. Andrew Winbow for participating in the conference, highlighting this as a demonstration of the strong bond between the ReCAAP ISC and the IMO. Mr. Endo also expressed his sincere gratitude to FADM Maritime Dato' Zulkifli bin Abu Bakar for his participation, noting the in-depth productive cooperation between the ReCAAP ISC and MMEA.

Since the Conference first started six years ago, it has served as an information sharing platform where perspectives and views were exchanged among the ReCAAP ISC, local and overseas shipping industries, enforcement agencies and academic experts.

On the situation in Asia, Mr. Endo outlined a 22% increase in the number of incidents of piracy and armed robbery against ships in Asia in 2014 compared to 2013. Although the majority of these incidents were less significant and petty theft in nature, there has been a surge in incidents as well as frequency of siphoning of ship fuel/oil in 2014. He emphasized that in several of these cases, the cooperative mechanism among the stakeholders, such as timely reporting by seafarers, quick response from the enforcement agencies, and close cooperation among all stakeholders resulted in the arrest of the perpetrators. Case in point was the incident onboard *Sun Birdie*.

Mr. Endo also highlighted the remarkable achievements made at some ports and anchorages in Indonesia as a result of successes acquired in combatting sea robbery. But he also cautioned



that there is no room for complacency since perpetrators are constantly shifting their targeted areas to prey on more vulnerable ships, as well as changing their modus operandi to adapt to the increasingly difficult situation.

There has been a notable increase of Category 1 incidents in 2014, mostly siphoning of ship fuel/oil, which is highest among the five-year reporting period. This warranted the collective efforts of the ReCAAP ISC, authorities and the shipping industry to deal with the situation, Mr. Endo noted. He opined also that it is timely and encouraging that INTERPOL, with expertise on syndicate matters, also participated in this Conference. This underscores the close and practical cooperation between INTERPOL and the ReCAAP ISC, demonstrating their commitment to fight against crime of this nature.

Mr. Endo suggested that the ReCAAP ISC should also be flexible in fulfilling its mission in an ever-changing world. In the past six years, the format of the Conference was mainly in the form of either presentations or panelist discussions. However, he said, what seafarers need most urgently while encountering piracy hazards on voyage are instinctive responses which can be strengthened through training. He added that incident responses, among others, could be part of best practices the ReCAAP ISC and enforcement agencies may be able to identify and further enhanced to be the evolving norms in the future. With the desire of further building up the capabilities of the seafarer community, the format

of this year's Conference was established in the form of role-playing.

So far, the ReCAAP ISC has come a long way and has been recognized as a successful model which is called the "ReCAAP model" in combatting piracy and armed robbery against ships in Asia. Mr. Endo pointed out that six new members had been added to the organisation over the years, making it a 20-member outfit. But still, more can be done especially in view of the current situation, he emphasised. Besides the enforcement agencies, he also highlighted the need to expand the roles played by other stakeholders. Timely sharing of information among various stakeholders, including enforcement agencies and shipping industry is key in effectively preventing and suppressing piracy and armed robbery against ships in the region.

With the ReCAAP ISC approaching its 10th Anniversary in 2016, Mr. Endo noted, it opens a new chapter for the organisation to move onto another level in information sharing. The ultimate goal is for the ReCAAP ISC to become the Centre of Excellence for Information Sharing. However, to accomplish this goal, the ReCAAP ISC needs the support of every stakeholder and partner.

In concluding, Mr. Endo thanked all participants in advance for their active contribution to the Conference and more generally, to the ReCAAP ISC's information sharing and cooperative mechanism.

“...it opens a new chapter for the organisation to move onto another level in information sharing.”



KEYNOTE
ADDRESS BY
INTERNATIONAL
MARITIME
ORGANIZATION
(IMO)

Keynote Address By International Maritime Organization (IMO)



MR. ANDREW WINBOW
*Assistant Secretary-General/
Director, Maritime Safety
Division, IMO*

Mr. Andrew Winbow began his keynote address by first highlighting the work of ReCAAP and its Information Sharing Centre, also pointing out that IMO has a very strong relationship with ReCAAP. He recalled the early beginnings of the organisation at the 30th ASEAN Ministerial Meeting in Malaysia in 1997, through the negotiations on the Cooperation Agreement in the early 2000s until its entry into force in September 2006.

The ReCAAP ISC, Mr. Winbow said, quickly followed and is at the heart of enhanced regional cooperation in the fight against piracy and armed robbery against ships in Asia. He pointed out the fact that the original States' membership of 14 has expanded since its inception, beyond countries in the region, to 20 today speaks well of the aims of ReCAAP and also its performance and activities to date.

The ReCAAP ISC's mission statement identifies three mainstays of activity, namely: Information Sharing, Capacity Building and Cooperative Arrangements. Mr. Winbow highlighted some of the positive benefits that have accrued in three of these areas since the ReCAAP ISC was established.

On the first mainstay, Information Sharing, Mr. Winbow emphasised that the ability to share information 24/7 between ReCAAP ISC and its Focal Points is a key element in incident reporting and follow-up. Even though compared to the situation in 2014 there was an unwelcome 22% increase in the total number of incidents in the region, as highlighted in ReCAAP ISC's 2014 Annual Report, this demonstrates the transparency of information needed and is the hallmark of a

reputable organisation that it can promulgate information which, on the face of it, reflects adversely on its activities.

However, Mr. Winbow also pointed out, a closer study shows that two-thirds of the incidents were in the "less significant" category. An element of this increase may be due to a higher level of reporting. Aggregated and disaggregated information of this type can be effectively used to identify trends, target resources and raise awareness. In this regard, he highlighted ReCAAP ISC's Special Report on Oil Siphoning Incidents in 2014.

The ReCAAP ISC's reports and statistics are frequently used by both maritime and general media. Mr. Winbow pointed out that the ReCAAP model has been promoted by IMO as a model of intergovernmental cooperation that other regions might wish to emulate, as was the case for the foundation of the Djibouti Code of Conduct (DCoC). By spreading its message in IMO-sponsored activities and in other fora, the ReCAAP ISC has been proactive in the fight against piracy and armed robbery against ships and participated regularly in meetings of the IMO Council and Maritime Safety Committee to good effect, he said.

In terms of the second mainstay, Capacity Building, Mr. Winbow highlighted the work done by ReCAAP in building capacity to enhance the network of Focal Points and its capabilities through meetings and workshops. The sharing of best practices and introduction of standard procedures improves efficiency and effectiveness of the organisation and its membership in the fight against piracy and armed robbery that has led to the

Keynote Address By International Maritime Organization (IMO)

arrest of some of those involved and the recovery of ships and cargoes.

He pointed out that the ReCAAP ISC's best practices and experience has been exported to good effect to assist in the operation of the Sana'a Information Sharing Centre under the IMO Project on the DCoC and training of the National Focal Points in the East African region. Mr. Winbow expressed thanks to the financial support of some ReCAAP members which enabled the successful conduct of various capacity building activities.

On the third mainstay on Cooperative Arrangements, Mr. Winbow emphasised that its extensive network is arguably the key to future success. The MOUs, particularly with industry organisations, provide the basis for collaboration in all areas of ReCAAP ISC's work. Cooperation is key, he pointed out, from capacity building and training programmes to joint activities aimed at preventing and suppressing piracy attacks. Information exchange and mutual support to follow-up on both attempted and successful attacks can only pay dividends in deterring future attacks and apprehending those responsible.

Mr. Winbow pointed out that this Conference is organized in conjunction with industry and constitutes a sound evidence of the benefit of working together. He said that industry organisations have a significant role in the panel discussions and felt that it is appropriate to be cognizant of their concerns and for the ReCAAP ISC to take all measures necessary and appropriate to try to address them. Hijacking of oil tankers and related siphoning of fuel

and cargo, Mr. Winbow opined, is clearly a concern for industry and the ReCAAP ISC who has highlighted the recent increase in these cases in its recent report.

While identifying the issue is one step, he argued, the next steps are to identify the modus operandi and the perpetrators so that effective action can be taken to apprehend those involved. In addition, gaining the necessary information to warn tanker operators of the likelihood and danger of becoming a target and to take action accordingly to raise the awareness of seafarers to the risks and of available preventative measures, such as those contained in the Best Management Practices, would help prevent future occurrences.

Mr. Winbow highlighted the recent success of the Malaysian Maritime Enforcement Agency (MMEA) in arresting pirates who had hijacked a Malaysian coastal tanker and said that more successes of this type would project a very positive message to industry and serve as a deterrent to pirates. While there may be some who advocated the use of armed guards on ships in the region – particularly for those who stand to gain for providing them – this is close to admitting defeat, he argued. Instead, it would be much better for all involved to work cooperatively together to share information aimed at identifying the commonalities

“Cooperation is key, he pointed out, from capacity building and training programmes to joint activities aimed at preventing and suppressing piracy attacks.”

in these incidents and also take action to protect ships and their crew from attack by adopting the practices successfully adopted elsewhere.

“ReCAAP ISC’s best practice and experience has been exported to good effect...”

The Sarawak Sabah Shipowners’ Association (SSSA) has been reported as saying that at least some of the siphoning attacks are “inside jobs”. If that may be the case, Mr. Winbow suggested, there is surely an opportunity for the ReCAAP ISC and its industry partners to inform, educate and advise, in conjunction with other appropriate authorities in the region on measures to be taken by shipping companies to identify and report suspicious activity that might lead to hijackings or the theft of fuel and cargo.

As a conduit between enforcement agencies, shipping companies and IMO Member States in the region – and not restricted to only ReCAAP members – the ReCAAP ISC has an important role to play, Mr. Winbow stressed. He added that leveraging its membership’s resources and utilizing its cooperative arrangements, the ReCAAP ISC’s position as an internationally recognized centre of excellence can be enhanced with an effective response to this problem and future ones, and he looked forward to this materialising in the near future.

Finally, Mr. Winbow said that while the expanding membership of ReCAAP is a fact, there is perhaps an element of illusion or pretence in that as well. Whilst organisations from two

IMO Member States in the region support the work of the ReCAAP ISC in a number of ways, these Member States are not signatories to the Agreement and, with the recent development of hijacking and siphoning of ships, perhaps it is now the time for the Governing Council to redouble its efforts towards bringing them into the fold, to the benefit of all Members and the industry that trades in the region.

In closing his keynote address, Mr. Winbow said that the ReCAAP ISC, who will celebrate its 10th anniversary in 2016, is set for future success in all that it is tasked to do, based on its past achievements and current activities. The welcome financial support from its membership; the secondment of foreign staff in the ReCAAP ISC, and the work of members of the Governing Council all point to continued success.



MESSAGE
FROM UNITED
NATIONS (UN)

Message From United Nations (UN)



MR. JEFFREY FELTMAN
*Under-Secretary-General for
Political Affairs, UN Department
of Political Affairs*

A message from Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs at the United Nations Department of Political Affairs was read out at the Conference. The message is as follows:

Warm greetings to the participants of the annual Conference of ReCAAP Information Sharing Centre. We welcome the important work of ReCAAP, the first intergovernmental body designated specifically to enhance cooperation against piracy and armed robbery in Asia Pacific. ReCAAP's Information Sharing Centre (ISC) has played an important role in contributing to the safe navigation of the vital sea lanes in the region through combating piracy and armed robbery.

Maritime piracy and drug trafficking are global threats to peace and security, requiring a multi-dimensional approach. To counter these threats, it is important early on to focus on measures such as modern criminal laws, developing and strengthening law enforcement institutions and crime investigative capacity, as well as to supporting regional networks and knowledge exchange. Today's conference, "Separating Facts from Fiction", is timely and promises to further strengthen a commitment by all stakeholders for a comprehensive and coordinated response against transnational crimes, including piracy. The United Nations remains committed to working with its partners to deliver such a response to these global and regional threats.

It is our hope that this conference will contribute to achieving a safe and stable maritime environment in the Asia Pacific region.



1ST PANEL
DISCUSSION



1st Panel Discussion

MODERATOR

MR. ABD RAHIM HUSSIN

Former Undersecretary of the National Security Council (NSC), Prime Minister's Department, Malaysia

PANELLISTS

MS. LEE YIN MUI

Assistant Director (Research), ReCAAP ISC

MR. BENNY LOW [BIMCO REP]

Company Security Officer, Thome Ship Management Pte Ltd

COL STEVEN TAN

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

MR. MICHAEL PHOON

Executive Director, Singapore Shipping Association (SSA)

MR. HARRY WEE

Alternate Company Security Officer, Security Department, Thome Ship Management Pte Ltd

1st Panel Discussion

Before the start of the discussion, the Assistant Director (Research) of ReCAAP ISC, Ms. Lee delivered a short update on the latest situation of piracy and sea robbery in Asia during the first quarter (January-March) of 2015. According to Ms. Lee, 38 incidents were reported during January-March 2015, of which five were CAT 1 or very severe incidents comprising three incidents of fuel siphoning, and two incidents of hijacking. Although majority of the incidents reported during this period were less severe and petty theft, most of them were reported in the Straits of Malacca and Singapore (SOMS).



“Ms. Lee encouraged stronger and collective efforts from all stakeholders.”

The key to addressing the threat, Ms. Lee also pointed out was immediate and coordinated responses from all stakeholders. Intensified measures such as heightened surveillance by enforcement agencies, enhanced vigilance by seafarers and increased cooperation with international organisations such as INTERPOL, ought to be the way forward to prevent and minimize the risks posed by pirates and sea robbers to ships in the region. Ms. Lee encouraged stronger and collective efforts from all stakeholders.

The 1st Panel Discussion revolved around Scenario A concerning a theft incident. The panellists addressed a number of questions posed by the moderator, Mr. Abd Rahim Hussin.

In response to the question whether ship security officers complete the ship’s security plan prior to sailing, Mr. Harry Wee added that there was a pre-sailing security plan, together with available intelligence forewarning, to get the crew to undertake additional precautionary measures. For example, he said, patrols on deck would be assigned when ship transits to areas with records of higher number of incidents, razor-blade concertina wires would be brought along for the voyage and installed as an additional measure.

In response to the second question of whether any special instructions were issued to the crew, Mr. Wee replied that it is

usually the case, such as more emphasis to the crew to pay attention to the aft section of the ship, and not just forward, so as to watch for suspicious activities in that vulnerable area.

“...sharing of best practices needs to take place in a blame-free environment and lessons learnt from past incidents have to be disseminated across the industry.”

Mr. Benny Low, the BIMCO representative addressed the question on the procedures involved in reporting incidents. He reiterated the need to reach out to the local authorities because of time criticality of the incident, thus requiring timely reporting. Mr. Low also suggested some best practices that can be considered for adoption by other shipping companies, for instance drafting of contingency plans in addition to having pre-transit preparations. While pre-planning is important, he added that there is a need to avoid any sense of complacency particularly crew who have transited the same area safely for many years without incident.

Mr. Michael Phoon opined that sharing of best practices needs to take place in a blame-free environment and lessons learnt from past incidents have to be disseminated across the industry. However, he also pointed out, while sharing of best practices is

no doubt a good thing to have, it is quite another matter altogether when it comes to getting seafarers to practise or implement them. With regard to the question on whether such best practices to be shared may involve commercially sensitive information, Mr. Phoon said that the onus is on individual companies to share such data with others as per their internal policies.

On whether it matters, from the maritime security perspective, that the attack outlined in Scenario A was reported to VTIS, ReCAAP ISC, IMB or IFC first, Ms. Lee proffered that ship masters are encouraged to report to the local authorities since timely sharing of information with the right agency constitutes the key to timely response. She added that the ReCAAP ISC serves as the conduit to share information in this regard. To improve on the current level of reporting, Ms. Lee said that more can certainly be done such as by raising situational awareness among shipping companies, enhancing vigilance and encouraging them to understand the benefit of timely reporting of incidents. However, she also pointed out that not all shipping companies are willing to share information with government agencies on grounds of the perceived slow or non-response from some agencies.

Ms. Lee emphasised that this problem boils down to the issue of trust between the industry and authorities.



1st Panel Discussion



The final set of questions were directed to COL Steven Tan with respect to the whole-of-government approach adopted by Singapore in tackling piracy and other maritime crimes and the prospects of replicating Singapore's approach to the regional level through improved international cooperation.

To these questions, COL Tan pointed out that information about an incident is usually passed from Singapore's Port Operation Command Centre (POCC) to the Republic of Singapore Navy (RSN) and Police Coast Guard (PCG), thereafter the information is disseminated to the Information Fusion Centre (IFC), followed by further dissemination to relevant agencies. He recounted an incident of theft that happened in the Singapore Strait on Christmas Day last year, during which the IFC shared information with regional partners and the following day, the Indonesian authorities apprehended a number of perpetrators.

This episode, COL Tan said, highlighted the importance of a "whole-of-community" approach involving all stakeholders in

order to deal with incidents in a timely and effective manner. He opined that while shipping companies can be encouraged to adopt Best Management Practices, the best way forward is for every stakeholder to play its role. Information sharing and exchanges remain the key underlying theme of cooperation at various levels. COL Tan suggested the need for shipping companies to provide as much details as possible so as to aid the authorities in tracking down the perpetrators, secure the relevant evidences so as to bring the perpetrators to justice.

To a question regarding timely response to certain vulnerable areas, such as the Philip Channel, given the various jurisdictional rights exercised by the littoral states, COL Tan said that littoral states astride the Straits of Malacca and Singapore have been sharing information. All partners are informed of every incident that was reported, and IFC does not impose upon itself any firewall against information sharing. However, he stressed that there is still room for wider regional and international cooperation among multiple

agencies. There is also a need for Singapore to more actively engage her neighbours and aid their capacity building efforts.

On the prospects of further regional cooperation against piracy and armed robbery, COL Tan highlighted that so far, the Malacca Strait Patrols (MSP) have been pivotal in bringing about the decline of attacks since its inception in 2004. He revealed that the MSP partners are in the midst of discussing the prospects of extending the framework beyond the strait in view of the occurrence of attacks in other parts of this region.

“...highlighted the importance of a “whole-of-community” approach involving all stakeholders in order to deal with incidents in a timely and effective manner.”

Prior to the conclusion of Panel 1 discussion, Mr. Andrew Tan, Chief Executive of the Maritime and Port Authority of Singapore (MPA) apprised the Conference that the increase in number of incidents in the Straits of Malacca and Singapore since last year certainly needs to be addressed. Various stakeholders, including shipping industry and enforcement agencies, have to demonstrate firm resolve. He suggested that a broader dialogue is required at the national and global levels since the strait is an international waterway. Mr. Tan further proposed that effective response requires a multi-level strategy combining early detection, better deterrent and firm action undertaken against the perpetrators. While Indonesia, Malaysia and Singapore are



working hard together to deal with the problem, he opined, there is potential for the littoral states astride the Straits of Malacca and Singapore to dedicate more resources to their enforcement agencies. In this regard, Singapore can engage its neighbours and provide assistance to their capacity-building efforts in terms of training and assets for example. Finally, Mr. Tan pointed out that despite a zero-tolerance stance towards piracy and armed robbery against ships, it may not be possible to completely eradicate such incidences but to minimize them instead.



PRESENTATION
BY INTERPOL

Presentation By INTERPOL



MR. JOHN BARRY

*Project Manager, Maritime
Security Sub-Directorate,
INTERPOL General Secretariat*

Mr. John Barry began his presentation by first highlighting the importance of information sharing as a key factor in preventing and suppressing piracy and armed robbery against ships. He suggested the need for navies, which by nature collect and maintain intelligence at a high level, to endeavour to declassify the data and disseminate it to other relevant authorities, such as the civilian law enforcement agencies. Mr. Barry assessed that thus far, incidences of hijacks, including attempts, which took place were under-reported. He urged all shipowners to err on the side of caution by reporting all suspicious activities, including attempts of hijack.

In crafting timely and effective responses to attacks, Mr. Barry underlined a need to be cognizant of the differing conditions of Asian waters compared to that in the Gulf of Aden for instance, which thereby necessitates different responses.

Characterizing the profiles of those attacks which had taken place in regional waters, Mr. Barry pointed out that the key targets were typically small to medium-sized tankers built 20-30 years ago, displacing 2,000 tons and laden with expensive marine gas oil (MGO). They were also usually manned by small companies. The vessels operated in SOMS and the South China Sea, where two groups of perpetrators including small networks of criminal gangs are believed to actively operate in. These perpetrators are typically well-resourced and possess a high level of organisation as well as shipping or industry knowledge and expertise.

However, Mr. Barry also pointed out, the recorded incidence of hijacks in regional waters did not involve ransoms which are usually the case in the Gulf of Aden. Hijacks which took place in regional waters lasted for a short period and the crew tend not to be physically harmed by the perpetrators. Nonetheless, he argued, more can be done by all stakeholders in order to prevent and suppress piracy and armed robbery against ships in the region.

Mr. Barry identified several challenges which ought to be addressed: the need for enhanced information sharing and land-based responses; review of legislation; quick response by the local authorities including efficient forensic investigations so that ship and crew need not be held in port for too long. In particular, he highlighted the need for existing legislative mechanisms to keep up with the evolving transnational crimes at sea.

Summing up his presentation, Mr. Barry suggested that the way forward ought to be a combination of several measures, such as enhanced transnational cooperation, information sharing among various stakeholders and the use of INTERPOL tools and services such as its Global Database on Maritime Piracy.



2ND PANEL
DISCUSSION



2nd Panel Discussion

MODERATOR

MR. ABD RAHIM HUSSIN

Former Undersecretary of the National Security Council (NSC), Prime Minister's Department, Malaysia

PANELLISTS

LTC (RETD) NICHOLAS TEO

Deputy Director, ReCAAP ISC

DR. PHILLIP BELCHER

Marine Director, INTERTANKO

FADM MARITIME DATO' ZULKIFILI BIN ABU BAKAR

Director of Maritime Criminal Investigations Department, MMEA

CAPT. GEORGE SOLOMON [ASF REP]

Head of Security and Environment, Asia and Europe, APL

CAPT. CATALIN IONESCU

General Manager and CSA, MISC Berhad

2nd Panel Discussion

Moderated also by Mr. Abd Rahim Hussin, the 2nd Panel Discussion revolved around the incident of siphoning of ship fuel from chemical tanker, *Sun Birdie*.

Responding to the first question regarding pre-sailing ship security plan and issuance of special instructions to the crew, Mr. Catalin Ionescu shared that notwithstanding the quality of Best Management Practices and security plan, training and readiness of the crew remain essential attributes in order to cope with contingencies. Typically the crew is instructed to implement special measures, especially during hours of darkness when such attacks are more likely to happen.



“Dr. Phillip Belcher opined that a good practice small tanker owners may consider is to tailor security plans for specific risk areas, as well as adopting good reporting procedures.”

On the part of the ReCAAP ISC’s reporting and information-sharing procedures, LTC (Retd) Nicholas Teo reiterated the need to first ensure the information is accurate by verifying with the ReCAAP Focal Point. Information management in this case is important, he pointed out, because broadcasting the incident immediately to all mariners may potentially jeopardise the safety of the crew of the hijacked vessel. As such, broadcast is made via secure network to warn other ships passing through the same area where the attack had taken place. That being said, LTC (Retd) Teo highlighted, the ReCAAP ISC is responsible for sharing information instead of orchestrating response which falls under the purview of the littoral state concerned in accordance with its domestic laws and regulations.

On the *Sun Birdie* incident, FADM Maritime Dato’ Zulkifli bin Abu Bakar briefly recounted the events which unfolded but pointed out that he could not reveal further details about the case because it is due to be heard in court on 23 June 2015. He pointed out that in most other cases, ship masters were found to have not reported the incidents due to various reasons, such as the hassle of having to dock their vessels in port for possibly extended period of time pending investigations. There were also other challenges posed to the authorities, such as the tampering of crime scenes which made it difficult for forensic investigations to be carried out in order to successfully apprehend the perpetrators.

Nonetheless, FADM Maritime Dato' Zulkifli bin Abu Bakar assured that both the Royal Malaysian Navy (RMN) and MMEA have increased their focus on siphoning in waters off Johor, and having reinforced the capacity in these areas with more surface and aerial assets. The RMN and MMEA also coordinate closely in order to provide timely response to any reported incidents. Local capacity has also been expanded, such as the stationing of forensic investigation teams in all five MMEA regions. But he stressed that while MMEA is prepared to respond, ship owners and ship masters ought to also do their part.

In order to minimise the risks of siphoning attacks, Dr. Phillip Belcher opined that a good practice small tanker owners may consider is to tailor security plans for specific risk areas, as well as adopting good reporting procedures. In addition, he pointed out that there is also need for better inter-agency cooperation, the promulgation of a common lexicon and standard operating procedures. The rights of seafarers have to be taken into account by the authorities, he said. Other than these, crew also have to play their part in heightening vigilance. Besides "hardening" their vessels, they ought to also prevent themselves from being distracted by the intense traffic conditions in SOMS, where some of the petty thefts took place.

Capt. George Solomon, to the question of whether more can be done to raise maritime security standards and situational

awareness across the industry, said that there is a need to reach out to smaller companies. To facilitate better awareness, he suggested the use of simplified and concise means such as posters and training videos. But a good land-based response, he pointed out, ought to be a necessary measure to have besides timely information-sharing and dissemination.

"Other than these, crew also have to play their part in heightening vigilance."

The panellists were generally supportive of a participant's suggestion for a more integrated and holistic approach instead of piecemeal preventative efforts to address the siphoning threat more effectively, such as the creation of a task force comprising various stakeholders. However, LTC (Retd) Teo pointed out that, such measures aside, the issue of ship siphoning ought to be also viewed from the perspective of "demand and supply". Ship owners who have been able to purchase cheaper-than-market-rate marine fuel oil do not have the incentives to report or expose the perpetrators.



2nd Panel Discussion



The issue of alleged “inside job” behind siphoning attacks provoked active discussion. Some of the participants were of the view that ship owners could only do so much, and the law enforcement agencies need to do more and desist from attributing siphoning cases to “inside job”. LTC (Retd) Teo proffered that “inside job” does not refer to just the crew of the targeted vessel but also other sources throughout the entire siphoning “supply chain”, including external informants such as those stationed onboard innocent-looking trawlers plying through the area. In this regard, Mr. Barry suggested that the INTERPOL’s tools and services may come in handy to aid industry and law enforcement agencies in capacity building to minimise such risks.

Some of the participants shared various good practices adopted in order to prevent siphoning attacks, including the maintenance of contact with local authorities throughout the transit; ensuring a multinational crew onboard the

vessel; equipping the crew with night vision devices; and report all suspicious activities, even if they are just false alarm. The other participants also emphasised the need for a common, standardised lexicon on siphoning in order to enhance response to future cases.

Following the discussion about lexicon, Mr. Hussin raised the prospect of whether there is a need for ReCAAP to revise its categorization methodology. LTC (Retd) Teo pointed out that the current methodology was based firstly on the United Nations Convention on the Law of the Sea; the distinction between “piracy” and “armed robbery” is designed to instill upon the littoral states a sense of ownership in dealing with incidents that take place in waters under their national jurisdictions. Secondly, he pointed out, the various CAT levels are designed to facilitate enforcement agencies, bearing in mind the disparate levels of capacities of the littoral states; to target scarce resources to areas where it matters most.

Rounding up the discussion, participants were asked to offer suggestions on ways forward for ReCAAP ISC's future development as the organisation will reach its tenth year in 2016. To that, participants suggested more rapid dissemination of detailed information to seafarers; better cooperation among littoral states; better advisories such as those on crime scene preservation to facilitate subsequent forensic investigations following an attack; as well as greater levels of interaction and sharing among various stakeholders. A more global approach, some participants suggested, such as the creation of an over-arching organisation that can collate and disseminate information is another possible way forward for the ReCAAP ISC.

“A more global approach, some participants suggested, such as the creation of an over-arching organisation that can collate and disseminate information is another possible way forward for the ReCAAP ISC.”





CLOSING
REMARKS



Closing Remarks

MR. YOSHIHISA ENDO
Executive Director, ReCAAP ISC

Mr. Yoshihisa Endo declared the Piracy and Sea Robbery Conference 2015 a success. He thanked all participants, speakers and co-organisers from INTERTANKO, BIMCO and RSIS for contributing towards that success. He lauded the active discussion which took place, the free sharing of ideas and best practices as well as frank exchanges of views, which herald enhanced cooperation among various stakeholders to deal with future challenges.

Participants of the conference from various fields and regions proves that the ReCAAP is a body of strong relevance not only for regional maritime community but also, international maritime community. It also demonstrates the successful outcome of ReCAAP ISC's outreach efforts to strengthen its networking and partnership with relevant stakeholders.

Recalling ReCAAP ISC's mainstays of activity raised by Mr. Winbow in his keynote address, Mr. Endo said that this Conference is a manifestation of ReCAAP ISC's willingness to share information in a transparent manner. He urged all stakeholders to continue to share accurate and detailed information regarding future incidents as a means to enhance response. Finally, Mr. Endo expressed the hope of producing a set of guidance to deal with emerging new challenges, such as the threat of ship siphoning.



PROGRAMME

TIME	EVENT
1300 hrs	Registration
1330 hrs	Welcome Remarks H.E. Dr. Pornchai Danvivathana, Chairperson of the ReCAAP ISC Governing Council
1340 hrs	Keynote Address Mr. Andrew Winbow, Assistant Secretary-General / Director, Maritime Safety Division, IMO
Session- I	
1355 hrs	1st Panel Discussion: Scenario A Moderator: Mr. Abd Rahim Hussin, Former Undersecretary of the NSC, PM's Department, Malaysia Panellists:: Ms. Lee Yin Mui, Assistant Director (Research), ReCAAP ISC Mr. Benny Low, CSO, Thome Ship Management Pte Ltd [BIMCO Rep] COL Steven Tan, Commander, CMA Group, MSTF, RSN Mr. Michael Phoon, Executive Director, SSA Mr. Harry Wee, Alternate CSO, Security Department, Thome Ship Management Pte Ltd
1445 hrs	Coffee/Tea break
Session- II	
1515 hrs	Presentation by INTERPOL Mr. John Barry, Project Manager, Maritime Security Sub-Directorate, INTERPOL General Secretariat
1530 hrs	2nd Panel Discussion: Scenario B Moderator: Mr. Abd. Rahim Hussin, , Former Undersecretary of the NSC, PM's Department, Malaysia Panellists: LTC (Retd) Nicholas Teo, Deputy Director, ReCAAP ISC Dr. Phillip Belcher, Marine Director, INTERTANKO FADM Maritime Dato' Zulkifli bin Abu Bakar, Director of Maritime Criminal Investigations Department, MMEA Capt. George Solomon, Head of Security and Environment, Asia and Europe, APL [ASF Rep] Capt. Catalin Ionescu, General Manager and CSA, MISC Berhad
1645 hrs	Presentation of Mementos to Panellists
1650 hrs	Closing Remarks Mr. Yoshihisa Endo, Executive Director, ReCAAP ISC
1700 hrs	End of Conference

* A message from the United Nations (UN) was read out by the emcee after the Keynote Address



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