

IUMI Policy Agenda

11. Maritime security / Piracy

Brief description

Best Management Practice (BMP) 5, use of private armed security guards, UN and IMO guidelines, national regulations, legality of payment of ransoms, and ISO rules for the use of force are some of the issues still very much on the international maritime security agenda.

Following an increase in the reported incidents in the Gulf of Guinea in the first half of 2023 with 65 incidents against 58 in the same period in 2022, the IMB has raised concern on the resurgence of incidents. The IMB calls for continued, robust regional and international naval presence as a deterrent to address these crimes. Nigeria's Deep Blue Project and the Gulf of Guinea Maritime Collaboration Forum are complementary initiatives, created to support the fight against piracy in the region.

In January 2021, the EU Council approved the launching of the first pilot case of the Coordinated Maritime Presences (CMP) concept in the Gulf of Guinea (GoG), which has seen member states deploy warships to the region. The purpose is to support efforts by the coastal states and the organisation of the Yaoundé Architecture to address increasing security challenges such as armed piracy and kidnapping for ransom, which undermine maritime security and good governance of the oceans. Following a review of the pilot, the EU proposed a two-year extension of the CMP mandates, starting in January 2022.

South American ports in Brazil, Guyana, Peru, Mexico and Haiti continue to be affected by the crime of armed robbery, but overall there was a reduction in incidents partially attributed to a 33% decrease in Callao anchorage in Peru.

While no incidents were reported in the Gulf of Aden in 2022, the IMB Piracy Reporting Centre continues to encourage vigilance among shipmasters, particularly when transiting close to the Somali coast. In consequence, insurers will continue to ask owners about their security precautions in this region.

The EU Maritime Security Revised Action Plan was adopted in June 2018. The revised Plan underlines that international cooperation at sea is instrumental to achieve safe and secure seas across regions and improve global maritime security. Although NATO reassigned its counter-piracy mission in the Indian Ocean in November 2016, the European Union has extended its counter-piracy operation until 31 December 2024. IUMI notes the continuing support from EU and the Combined Maritime Forces (CMF) and

believes the extended security corridor to be prudent.

With drawdown and the passage of time in mind, the 5th edition of the piracy-specific Best Management Practice (BMP5) was published in June 2018. BMP5 compiles a useful and comprehensive guidance which introduces effective measures for the protection of crew, vessels and cargo while transiting the Red Sea, the Gulf of Aden, the Indian Ocean and the Arabian Sea. The shipping industry's Indian Ocean High Risk Area was removed 1 January 2023.

Best Management Practices to Enhance Maritime Security for Vessels & Mariners Operating Off the Coast of West Africa including the Gulf of Guinea (BMP WA) was published in March 2020. The BMP WA is the result of a collaborative work between industry organisations, supported by government and military organisations, to help mariners detect, deter and delay external threats to their safety in this region.

Gaza

The recent eruption of hostilities and atrocities directed at Israel unleashed not only an Israeli response but also a wave of concern about regional contagion. Behind that lay the practical concerns for the aspects that touched on the supply chain actors. A significant new twist was added when Houthis seized the Galaxy Leader on 19 November 2023 using an Mi-17 helicopter to insert an assault team of eight men carrying AK-type rifles. That was a game changer and will require a ship security rethink. It was not in any security procedures manual for commercial vessels. Even if the vessel had an armed team aboard, the dispositions they would have to make in a very short time would not guarantee a successful defence. Worse, having demonstrated their capability, the Houthis also deemed anyone they considered a supporter of Israel to be a legitimate target. Trading and underwriting in the area have entered another phase of risk and uncertainty where political motives clash with commercial operations.

Ukraine

The conflict continues with no end in sight. but initial Russian aims contracted following strong Ukrainian resistance. The European strategic picture has been recast with the continent recognizing the downside of oil and gas reliance on a country with contrasting strategic ambitions. The sanctions picture is complex and the effects of the measures are unclear. What is clear is that insurers have had to handle a range of extra due-diligence issues and several carriers have opted out altogether. Additionally, many reinsurers have utilized territorial exclusions leaving the primary market with a newly limited reality. Underwriters have sustained significant losses arising from the vessels trapped by the hostilities and there will likely be disputes over those cargoes stranded or stuck in warehouses.

Relevant authority / organisations and documents

- **International Maritime Organization (IMO)**

- **Global Integrated Shipping Information System (GISIS)**: Recent reported incidents of piracy & armed robbery.
- **MSC102/10/3**: Security in the Gulf of Guinea, submitted by ICS, BIMCO, OCIMF, INTERTANKO and INTERCARGO, 10 March 2020.
- **Circular Letter No. 4382**: Piracy in the Gulf of Guinea, 10 February 2021.
- **Resolution A.1069(28)**: Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea, 15 December 2021.
- **MSC106/INF.10**: Removal of the Indian Ocean High Risk Area, submitted by ICS, BIMCO, OCIMF, INTERTANKO, INTERCARGO and IMCA, 22 August 2022.
- **BMP5**:
 - Best Management Practices to Deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea, June 2018.
- **BIMCO's GUARDCON contract**
 - **IGP&I GUARDCON West Africa** – IG clubs' version including the recommended amendments in Circular 1, 9 April 2014.
- **European Union**:
 - EU Maritime Security Factsheet: The Gulf of Guinea, 25 January 2021.
- **EU Naval Force (EU NAVFOR)** – Operation Atalanta.
- **ICC International Maritime Bureau – Piracy Reporting Centre**
- **Maritime Security Centre Horn of Africa (MSCHOA)**
- **Joint War Committee (JWC)**: Listed areas.
- **IUMI**: Position Paper - Piracy and its suppression, 29 January 2016.
- **Maritime Domain Awareness for Trade – Gulf of Guinea (MDAT-GoG)**
- **ICS, BIMCO & INTERTANKO**: Interim Guidance on Maritime Security in the Southern Red Sea and Bab Al-Mandeb, 24 January 2018.
- **BMP WA**:
 - Best Management Practices to Deter Piracy and Enhance Maritime Security off the Coast of West Africa including the Gulf of Guinea, 30 March 2020.
- **U.S. Coast Guard**: Port Security Advisory (1-20), 10 June 2020.
- **Benin**: Interministerial decree concerning means of protection of ships in territorial waters, 13 July 2020.
- **BIMCO, ICS, INTERTANKO, INTERCARGO & OCIMF**:
 - Joint statement: Increased security threats for vessels operating in the Gulf of Guinea, 21 October 2020.
 - Recommended risk mitigation measures, 5 January 2021.
- **OCIMF**: Guidance for the employment of private maritime security companies, October 2021.
- **NATO Shipping Centre.**
- **US MARAD**: Advisory 2022-003: Persian Gulf, Strait of Hormuz, Gulf of Oman, Arabian Sea, Gulf of Aden, Bab al Mandeb Strait, Red Sea and Eastern Indian



Ocean – Threat to commercial vessels, effective date 30 August 2022 – 26 February 2023.

- **IUMI:** IUMI welcomes IMO initiative to free vessels trapped in Ukrainian ports, 13 February 2023.
- **Industry associations:** Joint open letter to UN on seafarers trapped in Ukraine, 20 February 2023.

Timeline / important dates

- EU Naval Force Operation Atalanta extended until 31 December 2024.
- Indian Ocean High Risk Area no longer in place from 1 January 2023.

IUMI will:

- Monitor and inform IUMI membership of new developments.
- Strongly support implementation of BMP5 and consider amendments and/or more suitably adapted versions for new areas/threats as and when appropriate.
- Support implementation of ISO PSA 28007 as the sole standard when determining rules for the use of force.
- Endorse guidelines issued by BIMCO and ICS for vessels and crews.
- Encourage governments to support counter-piracy operations through naval task forces and other means of support off the Horn of Africa.
- Encourage owners and insurers to remain vigilant in the Indian Ocean.
- Support all efforts to find a lasting solution to ensure the safe passage of vessels and crew in the Strait of Hormuz and Persian Gulf.