

IUMI Policy Agenda

13. Maritime security / Piracy

Brief description

Best Management Practice (BMP) 4, 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.

The International Maritime Bureau (IMB) reported 180 piracy and armed robbery incidents worldwide in 2017 and 107 in the first half of 2018, while the IMO had received reports of 203 incidents which is a small reduction of about 8% from 2016. For IMB, 2017 represents the lowest annual number since 1995 when 188 reports were received. 136 vessels were boarded, 16 fired upon and six vessels hijacked. 91 crew were taken hostage. Three were reported killed. 107 incidents had been reported to IMB from January until June 2018. Attacks around West Africa pushed up global levels of incidents in the first quarter of 2018 with 66 reported incidents against 43 in the first quarter of 2017 and 37 in 2016.

Indonesia recorded a year on year decrease in 2017 which continued into 2018 due to preventive actions from the authorities. While there was a notable increase off the Philippines in 2017, kidnappings stopped in the first half of 2018 due to ongoing efforts by the military, increased patrols by the navies and ships taking precautionary measures. In the same reporting period, attacks increased in Venezuela and at Benin anchorage.

Nigeria still has the highest number of attacks (31 reported to IMB from January until June 2018). In 2017, Nigeria recorded 33 reports with no vessels hijacked, ten kidnapping incidents involving 65 crew and seven vessels fired upon – evidencing the level of violence and threats to seafarers in these waters. Gulf of Guinea accounts for more than 40% of the global total, and all but one of the 114 seafarers captured worldwide occurred here.

There remain ongoing security concerns in the Gulf of Aden and the Indian Ocean, and insurers will continue to ask owners about their security precautions. Nine incidents were recorded by IMB off Somalia in 2017, and two in the first two quarters of 2018. IMO numbers are higher, with 21 reported incidents attributed to Somalia-based pirates and four vessels successfully boarded and hijacked in 2017. The situation is further complicated by the conflict in Yemen and attacks on U.S. naval assets in the Bab-el-Mandeb.

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 2020. In June 2017, the IMO Secretary-General, Mr Kitack Lim, called upon governments to continue to provide naval assets to the area, underlining that the situation remains a cause for concern. 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.

An earlier move from UK and U.S. sources to push underwriters to mandate BMP was not considered possible due to; a) the nature of BMP, not being an underwriting document, b) being full of subjectivities, and c) European and U.S. competition laws.

A new Maritime Global Security website was launched in June 2018. The website provides security-related guidance produced by the industry as well as links to other maritime and military security resources.

Relevant authority / organisations and documents

- **International Maritime Organization (IMO)**
 - Global Integrated Shipping Information System (GISIS): Recent reported incidents of piracy & armed robbery: <http://gisis.imo.org>
 - MSC Circular 1405/Rev.2 (as amended): “Revised interim guidance to shipowners, ship operators and ship masters on the use of privately contracted armed security personnel on board ships in the High Risk Area”, released 25 May 2012.
 - MSC 92/INF.14: “International model set of rules for Rules for use of Force” (RuF), submitted by Marshall Islands, ICS, ISO and BIMCO, 9 April 2014.
Also used as input to ISO TC 8.
 - MSC.1/Circ.1406/Rev.3: Revised interim recommendations for flag states regarding the use of privately contracted armed security personnel on board ships in the High Risk Area, 2 June 2015.
 - Circular Letter No. 3606: Revision of coordinates of the High Risk Area (HRA) – BMP4, 2 December 2015.
 - MSC.1/Circ.1585: Reporting of incidents of piracy and armed robbery against ships in the Gulf of Guinea, 5 July 2017.
 - MSC.4/Circ.258: Reports of acts of piracy and armed robbery against ships – Annual Report 2017, 16 April 2018.
- **International Organization for Standardization (ISO)**
 - ISO/PSA 28007:2012 Ships and marine technology – Guidelines for Private

Maritime Security Companies (PMSC) providing privately contracted armed security personnel (PCASP) on board ships (and pro forma contract), published 14 March 2013.

- **ICS & ECSA:** Comparison of flag state laws on armed guards and arms on board, November 2013.
- **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**
 - Special Circular No. 1 – 20 February 2014 on recommended amendments to GUARDCON for use off West Africa.
 - IGP&I GUARDCON West Africa – IG clubs' version including the recommended amendments in Circular 1, 9 April 2014.
- **European Union:**
 - Gulf of Guinea strategy, 17 March 2014.
 - Revised Maritime Security Strategy Action Plan, Council conclusions 26 June 2018.
- **EU Naval Force (EU NAVFOR)** – Operation Atalanta: <http://eunavfor.eu/>
- **ICC International Maritime Bureau – Piracy Reporting Centre:** <https://www.icc-ccs.org/piracy-reporting-centre>
- **Maritime Security Centre Horn of Africa (MSCHOA):** www.mschoa.org
- **Joint War Committee (JWC):** Listed areas, revised 10 December 2015.
- **IUMI: Position Paper - Piracy and its suppression, 29 January 2016.**
- **ReCAAP** – www.recaap.org:
 - Guide for Tankers Operating in Asia Against Piracy and Armed Robbery Involving Oil Cargo Theft, 25 November 2015.
 - Regional Guide to Counter Piracy and Armed Robbery Against Ships in Asia, 17 February 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.
- **Maritime Global Security website:** www.maritimeglobalsecurity.org
 - Global counter piracy guidance for companies, masters and seafarers, June 2018.
 - The 3rd edition of the guidelines for owners. Operators and masters for protection against piracy and armed robbery in the Gulf of Guinea, 3 June 2018.

Timeline / important dates

- ISO/PSA 28807:2012: Published 14 March 2013.
- IUMI conference 15-18 September 2013, focusing on Gulf of Guinea.



- BMP4 boundaries of the High-Risk Area in the Indian Ocean altered 1 December 2015.
- NATO terminated its counter-piracy mission November 2016.
- EU NAVFOR (Operation Atalanta) extended until 31 December 2020.

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 IOS 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.