



SSA Technical Report: Update on Status of Piracy & Armed Robbery

March 2016

Preamble

In June 2015, the SSA published a SSA Technical Report: Importance of Distinguishing Piracy from Armed Robbery. The objective of the report was to highlight the importance of using the correct terminology for incidents of attacks due to sovereign and legal implications associated with each term. This was clearly illustrated on 29 February 2016 when the Madras High Court Bench refused to suspend the five-year sentence imposed by a trial court on a group of international armed-guards on board the U.S. anti-piracy vessel mv Seaman Guard Ohio detained by Coast Guard on 12 October 2013 for entering Indian territorial waters illegally with a huge cache of arms and ammunition. The decision of using armed guards on board the mv Seaman Guard Ohio presents a dilemma for ships. Whilst considered as accepted good practice on the high seas, the Gulf of Guinea and Gulf of Aden, the reverse is true for the Asian region, in particular the wide expanse of Asean waters. The lesson is that the terms piracy and armed robbery carry legal connotations of sovereignty.

The 1st Half 2015 (January to June): Rampant and Uncontrolled Attacks

During January-June 2015, a total of 106 incidents were reported in Asia, comprising 100 actual incidents and six attempted incidents. Of the 106 incidents, 11 were piracy incidents which occurred in the South China Sea (SCS) and 95 were incidents of armed robbery against ships. Amongst these, the number of Category 4¹ incidents was highest during January-June 2015. Of the 62 Category 4 incidents, 35 (56%) occurred onboard ships while underway in the eastbound lane of the Traffic Separation Scheme (TSS) of Straits of Malacca and Singapore (SOMS) and 12 (19%) onboard ships at ports and anchorages in Vietnam.

A key area of concern was incidents involving siphoning of ship fuel/oil from product/oil tankers, most of them below 5000 GT. A total of eight incidents of siphoning were reported during January-June 2015 compared to five incidents reported during the same period in 2014. This is tabulated below:

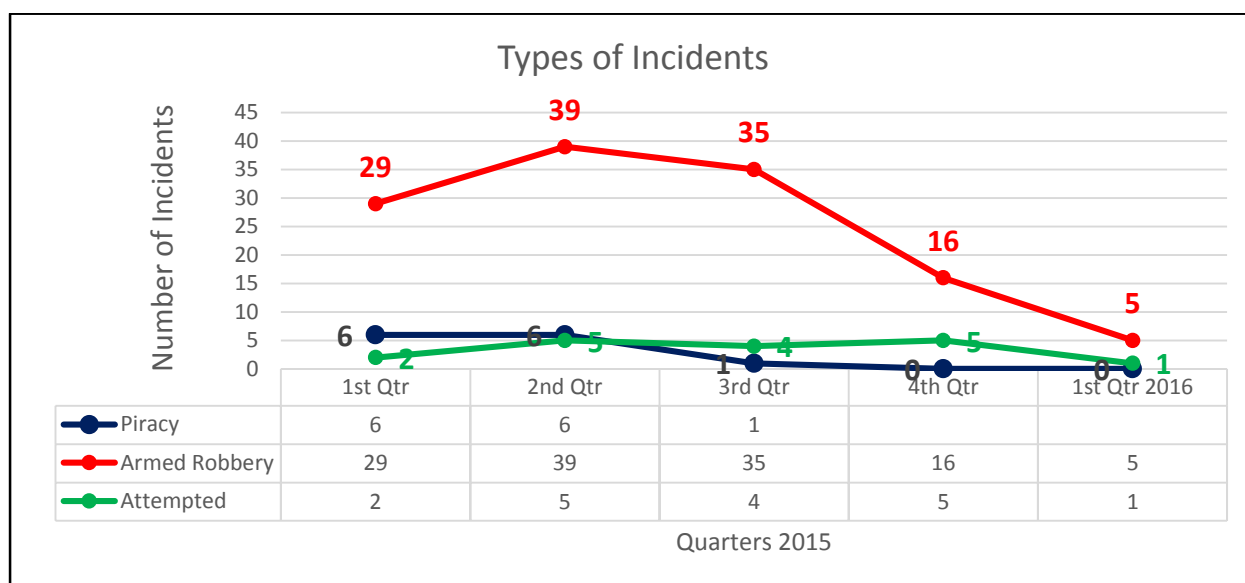
Period	Piracy	Armed Robbery	Attempted	Major Events Theft/Siphoning Cases
1 st Quarter 2015 (01 Jan – 31 Mar)	6	29	2	<i>Phubai Pattra 1: Hijacking & Siphoning</i> 20/02/2015 Off Pu Aur Malaysia Product tanker hijacked. 980MT Gasoline siphoned off and crew personal belongings taken.
				<i>David Tide II: Hijacking & Theft</i> 22/03/2015 Off Pulau Tioman Malaysia OSV hijacked. 180MT Diesel oil siphoned off and crew personal belongings taken.

¹ Category used by ReCAAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia) to denote incidents which involved 1-3 men who were not reported to be armed and the perpetrators escaped empty-handed upon sighted by the crew immediately. Nothing was stolen and crew was not harmed.

Period	Piracy	Armed Robbery	Attempted	Major Events Theft/Siphoning Cases
2 nd Quarter 2015	6	39	5	<u>Dongfang Glory: Hijacking & Siphoning</u> 01/04/2015 Off Pu Uwi Indonesia Product tanker hijacked. 4000MT Petrol plus 1000MT Diesel oil siphoned off.
				<u>Oriental Glory: Hijacking & Siphoning</u> 15/05/2015 Off Labuan E Malaysia Product tanker hijacked. 2500MT ship fuel/oil siphoned off.
				<u>Orkim Victory: Hijacking & Siphoning</u> 04/06/2015 Off Pu Aur Malaysia Product tanker hijacked. 770MT MDO siphoned off.
				<u>Orkim Harmony: Hijacking & Theft of Ship</u> 11/06/2015 Off Pu Aur Malaysia Product tanker hijacked and renamed. 6,000MT ULG 95 (petrol) stolen. Ship commandeered by perpetrators and crew abandoned. Pirates arrested through cooperation of MMEA ² , Indonesia Navy, Australian patrol aircraft, Royal Thai Navy, ReCAAP Focal Point (Thailand and Vietnam) and Vietnamese Coast Guard.

2nd Half 2015 (July to December): Effective Enforcement by Littoral States

The collective efforts by enforcement agencies, relevant international organisations and the shipping industry itself had produced results, as demonstrated from the arrest of the perpetrators involved in the hijacking of chemical tanker, *Sun Birdie* on 29 January 2015 and product tanker, *Orkim Harmony* on 11 June 2015. These outcomes were encouraging and demonstrated the effectiveness of the cooperative mechanism in information sharing and operational cooperation among ReCAAP Focal Points, regional maritime authorities from Malaysia, Indonesia and Australia, INTERPOL and the ReCAAP ISC.



² Malaysian Maritime Enforcement Agency

Period	Piracy	Armed Robbery	Attempted	Major Events Theft/Siphoning Cases
3rd Quarter 2015 (01 Jul – 30 Sep)	1	35	4	<i>Nil Hijacking or Siphoning cases</i>
				<p>August 2015: Arrest of Gang The Jakarta Post also reported the recent arrest of the purported mastermind behind the Orkim Harmony hijacking incident.</p> <p>August & September 2015: Littoral states step-up anti-piracy efforts News sources reported that Indonesia and Malaysia were both stepping up their fight against piracy in the wake of growing security concerns in surrounding waters including the deployment of a helicopter-equipped special task force (STAR) team at Johor Bahru and proposal by Malaysia's Defence Minister for joint patrols with Thailand, Indonesia and Singapore.</p>
4th Quarter 2015 (01 Oct – 31 Dec)	Nil	16	5	<i>Nil Hijacking or Siphoning cases</i>
				<p>Efforts by Indonesia Besides the efforts in dealing with oil cargo thefts, the Indonesian authorities had also reportedly stepped up surveillance and presence in the Straits of Malacca & Singapore.</p> <p>The Jakarta Post dated 26 October 2015 reported that the Indonesian authorities had arrested two groups of perpetrators responsible for robberies on board ships.</p> <p>It was reported in a separate article (Ship Bunker dated 29 December 2015) that the Indonesian Navy would be launching a new campaign among the people living in villages believed to be hotbed for attacks; to create awareness about the crime so that they would not participate in such activities should they be approached to rob or hijack ships or steal items from ships. The campaign would involve local police and regional administrators.</p>
Total 2015	13	119	16	

Current Situation

These efforts and arrests have attributed to no reports of oil cargo thefts incidents in the last four months of 2015 (since the last incident involving Joaquim on 8 August 15).

There has been no reports of actual incidents on board ships while underway in the Singapore Straits since November 2015.

Both ReCAAP ISC and ICC IMB annual reports confirmed that there has been a significant drop in the number of piracy and armed robbery attacks in the region. The elink for the various ReCAAP reports are provided: <http://www.recaap.org/AlertsReports/IncidentReports.aspx>

For proprietary purposes, the ICC IMB Annual Report on Piracy and Armed Robbery but is available from ICC IMB on request.

Cooperation between the Governments of the Littoral States

The 3 littoral states for SOMS (Indonesia, Malaysia and Singapore) have an agreement to conduct coordinated patrols. The recent spate of armed robberies in SOMS have prompted further regional cooperation between Malaysia and Indonesia, and the setting up of Rapid Reaction teams to be based in Johor and Batam respectively.

- Existing Bilateral/Multilateral Arrangements:
- Malacca Straits Patrols (MSP),
- Indonesia-Singapore Coordinated Patrols (ISCP),
- Malaysia-Indonesia Coordinated Patrols (MALINDO),
- Eye-in-the-Sky (EiS), etc.

When alerted by ships of such incidents, the RSN IFC (Republic of Singapore Navy Information Fusion Centre) will immediately broadcast an advisory to shipping in general with instructions to also alert the Indonesian Navy Operation Centre on Channel 16. At the same instance, the IFC will also relay this information immediately to their Indonesian counterparts. This cooperation and action has successfully led to the arrest of 3 perpetrators recently.

Cooperation and Collaboration by the Private Sector within the Region

Piracy and Armed Robbery are standing agenda items discussed at the below regional ASF (Asian Shipowners' Forum) and FASA (Federation of Asean Shipowners' Association) meetings held as mentioned below:

- 28th Interim Meeting of the ASF Safe Navigation & Environment Committee, 23 March 2015, Singapore
- 40th FASA AGM & 47th FASA Executive Committee Meeting, 18-20 May 2015, Jeju, Korea

- 24th ASF AGM, 18-20 May 2015, Jeju, Korea.
- 29th Interim Meeting of the ASF Safe Navigation & Environment Committee Meeting, 16 September 2015, Singapore
- 41st FASA AGM & 48th FASA Executive Committee Meeting, 22-24 November 2015, Manila, Philippines
- 21st Interim Meeting of the ASF Seafarers Committee, 20-21 October 2015, Beijing

Interpol hosted a briefing on 6 August 2015. Concerned over recent developments, the Malaysian government with assistance from Interpol set-up a forensic piracy training facility in Mersing, Malaysia, to train their marine officers. The training will be made available to other Asean countries.

To present a strong unified voice for a specific call for action, FASA (Federation of Asean Shipowners' Association) prompted its member countries to voice their concerns on Piracy and Armed Robbery to their respective maritime administrations, and also at the ASEAN Maritime Transport Working Group (AMTWG) Meeting to be held on 2-4 September 2015, Phnom Penh, Cambodia. FASA wrote to Datuk Seri Najib Tun Razak, Chairman of Asean, to appeal for action.

ICC IMB hosted an International Meeting on Global Piracy, Armed Robbery and Maritime Security on 14-15 September 2015, Kuala Lumpur. Malaysia.

ReCAAP ISC hosted the Nautical Forum 7/16 Situation on Piracy and Armed Robbery Against Ships in Asia for 2015 on 12 January 2016 which included a presentation by FAdm Maritime Ibrahim Bin Mohamed, Malaysian Maritime Enforcement Agency on "MMEA : Enforcement Efforts and Measures Taken on Armed Robbery and Piracy Issues".

Publications for the Region to Combat Piracy

The following publications to guide and advise the shipping community on best practices and updates on the piracy and armed robbery situations were also published:

- Publication of the Tug Boats and Barges (TaB) Guide Against Piracy and Sea Robbery by ReCAAP ISC, January 2013.
- Quarterly and Annual reports on Piracy and Armed Robbery by ReCAAP ISC and ICC IMB PRC. The ICC IMB PRC reports on Piracy and Armed Robbery are available only on request
- Publication of SSA Technical Report: Importance of Distinguishing Piracy From Armed Robbery by SSA, June 2015.

- Publication of the Guide for Tankers Operating in Asia Against Piracy and Armed Robbery involving Oil Cargo Theft (Tanker Guide) by ReCAAP ISC, RSN IFC and RSIS, November 2015
- Publication of the **“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia” (Asian Guide)** by ReCAAP ISC, RSN IFC, RSIS, Intertanko, OCIMF, ASF, FASA and SSA, 17 February 2016.

Legal Implications of Armed Guards Entering Territorial Waters

The on-going court case saga in India of the US registered mv Seaman Guard Ohio clearly reinforces the point on the unauthorised carriage of weapons. Despite repeated international appeals, including ministerial efforts at the government-to-government level, the Madras High Court Bench has refused to suspend the 5-year sentence imposed by a trial court on the armed guards for entering Indian territorial waters illegally with a huge cache of arms and ammunition carried on board the vessel to combat piracy. The same principles will apply to vessels entering the SOMS to the extent that large portions of the sea area in South East Asia are sovereign waters protected by the adjacent littoral states, and in some cases with significant overlaps. Further, the severity of the criminal penalties of bearing arms without proper permits and authorisations vary between the littoral states. With the recent subsidence of attacks against ships, it is important the industry is given the full assurance that SE Asia waters and the South China Sea are safe and the debate of protection by armed guards becomes purely academic.

Whilst all due care and diligence are deliberated, considered and included in the various guides produced by ReCAAP ISC and associated partners, users must take care not to treat such publications as the panacea for all situations. One cannot emphasise enough on the importance of conducting risk assessment for each individual transit or passage. Conditions will vary on a case-by-case basis, and should be left entirely to the discretion of the Master and his team to determine the appropriate measures, including hardware hardening, setting up a citadel, etc. based on the resources available, on the type of vessel, speed, freeboard, visibility, weather conditions, traffic density, proximity of hazards, operating conditions of navigational equipment, day or night passage, level of fatigue of crew etc. In addition, Rule 5 in Part B Steering and Sailing Rules of the International Regulations for the Prevention of Collisions at Sea, specifically states in *Lookout* that “Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.” It is good seamanship practice that vessels transiting pirate/armed robbery infested waters should deploy additional manpower to perform and fulfill such requirements. Heightened and acute vigilance is the key for a safe, uneventful and trouble-free passage.

Recent Developments

There have been a number of recent developments connected with Piracy and Armed Robbery as listed below:

1. Hacking by Pirates & Armed Robbers

In early March 2016, BIMCO and The Standard Club issued a warning regarding an alleged security breach in the Maritime Trade Information Sharing Center, Gulf of Guinea (MTISC-GoG), potentially resulting in the release of ships' data to pirates. Although the breach was not officially confirmed, it was recommended that vessels entering the area should "limit the provision of any information which would allow vessels to be identified or tracked." Global risk advisory firm [PGI Intelligence](#) has [recently alleged](#) that corruption could be a possible contributing factor in recent successful hijackings at long distances from shore (100 nautical miles plus), suggesting that officials could be passing ship positions to pirates in the Gulf of Guinea. Similarly, a report by US tech firm Verizon reported a case of a series of pirate attacks targeting high-value containers, identified in advance by hackers. Cyber-criminals were able to download bills of lading from the undisclosed company's servers, identifying specific containers through barcode information. The hack enabled pirates to board the vessels and target these specific high-value containers, stealing their cargoes, rather than "spending days holding boats and their crew hostage while they rummaged through the cargo". The pirates "..... board a vessel, locate by bar code specific sought-after crates containing valuables, steal the contents of that crate—and that crate only—and then depart the vessel without further incident," the document indicated. Verizon's Risk team was able to identify the problem and shut down the compromised servers, blocked the cyber-criminals' IP address, reset all the compromised passwords and rebuilt the affected servers. A more ominous and threatening note is the possibility of terrorist using the guise of piracy and armed robbery to acquire resources to support their cause. Although not evident as this stage, the attraction of using piracy and armed robbery to fund terrorist activities presents a very real and present danger.

2. Fake Piracy Reporting & Risk Pay

A report in the Jakarta Post on 26 October 2015 highlighted a growing concern that many reported cases of piracy or armed robbery may not be what they seem. Amongst the reports compiled by the ReCAAP ISC for 2015, there are many in which intruders came on board, were detected, and escaped empty-handed, with no property stolen and no crew injured. Apparently, the Indonesia maritime enforcement agencies are getting inundated with false alarms, and on sending in ships to respond, realized later that there were no incidences at all. These reports could have been filed to fulfil other ulterior motives related to insurance fraud or business. One such suspicion was the case of seafarers lodging false reports to qualify for 'risk pay' bonuses. It seems that there are some contracts in which such payments are only are triggered if the ship is subject to an actual attack. Another was the practise among competitors to send in fake piracy reports (not their ships, but their competitors' vessels) to delay a competing rival

company's ships as the vessels get hauled back to shore or the crew gets rounded up for interviews/interrogations.

3. **Investment in Assets**

The Today on 10 March 2016 reported that the Malaysian Defence Ministry is spending RM9 billion on six state-of-the art Littoral Combat Ships (LCS) to beef up naval defence. The ships are expected to be the largest combat vessels in the Malaysian armada and will be equipped with capabilities to engage in anti-air, electronic, anti-submarine and surface warfare. Capable of operating for 21 days without additional supplies, the LCSs can also be used for search-and-rescue operation, and guarding high-value unit convoys. The first of the combat vessels is slated for completion in 2019. Last month it was reported that Putrajaya has ordered six advanced scout attack helicopters which is believed to be the biggest arms contract between Malaysia and the US in more than 20 years. The new ships will be deployed to defend and monitor important areas in Malaysian waters, particularly the EEZ (Exclusive Economic Zones) and the sea line of communication connecting the peninsula to Sabah and Sarawak.

Conclusion & Going Forward

At the international level, it has been reported that BIMCO is planning to invite key international shipping and maritime organisations to a “roundtable Working group” tasked to drawing up a global BMP guide on piracy. It is expected that this will be a collaborative international effort to publish a comprehensive world guide to address the scourge of piracy and armed robbery worldwide.

Upgrading IFC as the Maritime Trade Information Sharing Centre (MTISC) for the Asian region. With the completion of the **“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia”** by ReCAAP ISC, RSN IFC, RSIS, Intertanko, OCIMF, ASF, FASA and SSA, on 17 February 2016, it is anticipated that the guide for Asia will merge with the other guides for Gulf of Guinea and Gulf of Aden, when ready, to form a complete international world guide for all.

Whilst these efforts are progressing, in tandem with these initiatives, SSA, FASA and ASF are collectively working towards better and clearer lines of communication for Asia. The current reporting protocols for Piracy and Armed Robbery for the Asian region is somewhat confusing and disjointed. The current IMO recommendations (MSC.1/Circ.1333) specifies that a ship under attack immediately reports by radio/GMDSS to:

1. the RCC of the Coastal States and
2. PRC/IMB.

Unfortunately, this protocol does not reconcile with the recommendations in Q6112 & Q6113 which encourages vessels entering the VRA (Voluntary Reporting Area) to notify the IFC for tracking purposes. Sadly, the IFC which is tracking the vessel and has the best knowledge is totally omitted in the IMO reporting protocol when a vessel is attacked. The existing reporting protocols therefore differs substantially with those adopted in the Gulf of Guinea and Gulf of Aden areas. The SSA advocates the establishment of a single reporting point similar to the role undertaken by the internationally established MTISC-GoG (Maritime Trade Information Sharing Centre - Gulf of Guinea).

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FAQs

1. **What is piracy? What is armed robbery?**


Piracy mainly occurs in high seas whereas armed robbery takes place within territorial jurisdiction.

The diagram below show the definition of Piracy, which is taken from Article 101 UNCLOS and Armed Robbery, taken from IMO Resolution A. 1025 (26).

Importance of Defining Piracy & Armed Robbery

S/n	Piracy (Article 101 UNCLOS)	Armed Robbery (IMO Resolution A.1025 (26))	Remarks
1	Piracy consists of the following acts:	Armed robbery against ships means any of the following acts:	No substantive difference
2	a) Any illegal acts of violence or detention, or any act of depredation,	.1 Any illegal acts of violence or detention, or any act of depredation,	Verbatim
3		or threat thereof, other than an act of piracy	No substantive difference but distinguishes piracy and armed robbery
4	committed for private ends	committed for private ends	Verbatim
5	by the crews or the passengers of a private ship or a private aircraft		No substantive difference
6	and directed	and directed	Verbatim
7	(i) on the high seas,		Piracy occurs on the high seas
8	against another ship or aircraft, or against persons or property on board such ship or aircraft	against a ship or against persons or property on board such a ship,	Verbatim except piracy includes aircraft
9	(i) against a ship, aircraft, persons or property		Verbatim except piracy includes aircraft
10	in a place outside the jurisdiction of any State;		Piracy occurs outside the jurisdiction of the state
11	a) any voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;		Piracy implies explicit knowledge of the facts
12		within a State's internal waters, archipelagic waters and territorial sea	Armed robbery occurs within state and territorial jurisdiction
13	a) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b)	.2 any act of inciting or of intentionally facilitating an act described above.	Verbatim

Note: For the purposes of determining the jurisdiction of the state, the analysis adopts the internationally recognised 12-mile boundary from the coast of the littoral states as territorial waters and jurisdiction or, in the case of an overlap of territorial waters, the mutually agreed maritime boundary recognised by the littoral states.



2. **Is “fuel siphoning” considered piracy or armed robbery?**

Fuel siphoning is the illegal transfer of fuel oil from one ship to another. From a legal standpoint, whether it is a piracy or armed robbery depends on whether the theft takes place on high seas or within territorial waters. In view of the increasing number of incidents with respect to fuel siphoning, ReCAAP ISC has published special reports to address the concerns. The link of the report can be found below.

<http://www.recaap.org/AlertsReports/IncidentReports.aspx?EntryId=289>

3. **What is the modus operandi of pirates and armed robbers in S E Asia?**

Essentially, there are two distinct types of attacks in S E Asia. In the majority of cases, the perpetrators disguise as fishing boats and use stealth, poles, hooks and lines to board ships. The aim is to board quietly and leave without being seen after stealing stores, engine spares

and/or personal possessions of seafarers. Unfortunately, the perpetrators sometimes turn violent when confronted. These are opportunistic in nature and does not distinguish between ship types or sizes, and occur when the bridge team is preoccupied with navigation in congested waters or when the vessel is at anchor when vigilance is perceived to be slack. Most attacks occur in the SOMS, the eastern approaches in the Singapore Strait and the South China Sea. Perpetrators are known to have boarded very large container ships with very high freeboard. The second type of attack is hijacking of ships for cargo theft, commonly referred to as siphoning incidents, and is generally confined to small parcel tankers carrying gas oil or gasoline oil products which can be easily sold on various black markets. Ships are intercepted on passage, hijacked, communication disabled, and commandeered to another location to rendezvous with another vessel to siphon-off the oil or modified/disguised for resale. The manner these hijacks were so well coordinated and executed suggest that these attacks were carried out by a team of professionals with syndicated and intelligence-led support.

4. Are there any reference material to guide ships and masters when navigating in SE Asia?

On 17 February 2016, ReCAAP ISC, RSN IFC, RSIS, Intertanko, OCIMF, ASF, FASA and SSA published a guide ***“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia” (Asian Guide)*** for the maritime community in Asia. The publication was the culmination of 4 months of intense consultation involving some of the major maritime organisations representing the industry, including the oil majors, shipmanagement firms, dry bulk and container shipping lines and coastal tanker operators. The regional guide is comprehensive, all encompassing, useful and relevant to seafarers on all ship types trading in Asia, assisting them to avoid piracy attacks, deter and delay attacks as well as provide recommended measures should an attack occur. The guide is intended to complement a world guide proposed by BIMCO and other major international organizations. The elink to the Asian Guide is provided below:

http://www.recaap.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=423&PortalId=0&TabId=78

5. How useful is the BMP4 as a guide for vessel transiting the SOMS?

The BMP4 was conceived by the international shipping community specifically to combat piracy and armed robbery in the Gulf of Aden and Gulf of Guinea regions where enforcement is lacking and there is rampant lawlessness. Some of these best practices are useful and can be applied to the Asian region, however, care must be taken to ensure that safety and territorial sovereignty are not compromised. Vessels are advised to conduct risk assessment exercises to ensure that the ship and her personnel are aware of their vulnerabilities at the same time put in place the correct amount of resources to ensure that the ship is adequately and appropriately protected.

6. What preparations and precautions should vessels take when entering piracy and armed robbery infested areas?

These topics are discussed in detail in the ***“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia”***. Ships and Masters are advised to refer to the guide to obtain

a holistic risk assessment of each transit keeping in mind that the most appropriate action will depend largely on the prevailing conditions in each particular situation.

7. What are the actions to take when attacked?

Ships under attack are advised to take immediate actions as recommended in Section 10: Ships Under Attack of the ***“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia”*** (pg 28). Concurrent with such actions, ships and Master are advised to follow the correct protocols as specified under the IMO circular MSC.1/Circ. 1334 on ‘Revised Guidance to ship owner, ship operator, ship master and crew on preventing and suppressing acts of piracy and armed robbery against ships’. The flow diagram for reporting incidents in Asia is reproduced in Annex C (pg 42) of the Asian Guide.

8. Has the piracy or armed robbery situation in S E Asia worsen?

As of 1 May 2016, there has been no report of oil cargo thefts incidents since 8 Aug 2015 (8 months) after the last hijacking and siphoning incident involving mt Joaquim. Similarly, there has been no reports of actual attacks on ships while underway in the Singapore Straits since November 2015 (see chart on pg 2 showing significant drop in incidents for 2015 and 1st Quarter 2016). Both ReCAAP ISC and ICC IMB PRC annual reports confirmed that there has been a significant drop in the number of piracy and armed robbery attacks in the region. This situation has improved as a result of concerted actions brought about from:

- Cooperation between the Governments of the Littoral States, namely Indonesia, Malaysia and Singapore, and extending to the ASEAN Maritime Transport Working Group.
- Cooperation and collaboration by the private sector within the region, especially at the various meeting and forums organised by ASF, FASA, ReCAAP ISC, ICC IMB PRC and RSN IFC.
- Publications for the region to combat piracy and armed robbery which included the SSA Technical Report: Importance of Distinguishing Piracy From Armed Robbery, ReCAAP ISC/RSN IFC/RSIS Guide for Tankers Operating in Asia Against Piracy and Armed Robbery involving Oil Cargo Theft (Tanker Guide) and the latest ***“Regional Guide to Counter Piracy and Armed Robbery Against ships in Asia”*** by ReCAAP ISC, RSN IFC, RSIS, Intertanko, OCIMF, ASF, FASA and SSA.

9. Which areas in S E Asia are more prone to pirate or armed robbery attacks?

A detailed matrix of the locations and timings of the attacks for the four quarters in 2015 can be found in Attachment 2 (pg 16). The aggregated data is presented in the **Consolidated Location & Timing Matrix** shown on Page 13. There were 15 cases (10%) of actual/attempted PIRACY attacks. The remaining 132 attacks (90%) were ARMED ROBBERY. Of these ARMED ROBBERY cases, it is significant to note the location of many of these incursions:

- 75 cases (51%) were committed in the Singapore Strait, mostly in Indonesian territorial waters whilst transiting Selat Durian in the vicinity of the eastbound TSS (Traffic Separation Scheme) between Pulau Karimum Kechil and Phillip Channel.
- 45 cases (30%) were committed when the vessels were at in port waters either at anchor or alongside a berth.

10. What time of the day do pirates/armed robbers tend to attack?

With reference to the same **Consolidated Location & Timing Matrix**, a detailed analysis of the timings of the attacks revealed that 91 attacks or 62% (comprising actual and attempted) occurred between 0001 to 0600 hours whilst 21 attacks (14%) took place between 1800 to 2359 hours, and collectively revealed that 76% (112 cases) of all recorded attacks occurred during hours of darkness from 1800 to 0600 hours.

Consolidated Location & Timing Matrix

	Type & Location	PIRACY		ARMED ROBBERY			Total	%	
		Malacca Straits	Other than Malacca Straits	Singapore Straits	In Port or Anchorage	Others			
2015	Actual Attacks	0001 to 0600	1	3	57	15	6	82	56 %
		0601 to 1200			3	14	1	18	12 %
		1201 to 1800		1	1	6		8	5 %
		1801 to 2359	3	5	3	5	3	19	13 %
		Time Not Stated			1	3		4	3 %
	Attempted Attacks	0001 to 0600			8	1		9	6 %
		0601 to 1200		2	1		1	4	3 %
		1201 to 1800					1	1	1 %
		1801 to 2359			1	1		2	1 %
	2015 Total		4	11	75	45	12	147	100%
2015 by %		3%	7%	51%	31%	8%	100%		

11. Are there other threats in the region?

Lately, of concern is a new threat in the southern Philippine waters of the Sulu Sea which is unlike those encountered in the Straits of Malacca and Singapore (SOMS). The actions by the Abu Sayyaf, a terrorist group, of capturing and holding to ransom the crews of the tugs and barges has added a new dimension to piracy and armed robbery in S E Asia. The recent

execution of a Canadian tourist by Islamist militants and the growing threats of such groups using piracy and armed robbery attacks as their modus operandi have raised the danger of attacks to crew and personnel to a completely new and unprecedented level. The foreign ministers of Malaysia, Philippines and Indonesia have agreed to conduct coordinated maritime patrols - voyages by the different navies operating in their own territorial waters, set up a hotline and share intelligence. The experience and cooperation of the littoral states in the SOMS will be valuable lessons for the authorities in the Sulu Sea area.

For a detailed report, see latest ReCAAP ***“Special Report on Abducting of Crew from Tug Boats in Waters off East Sabah and South Philippines”*** (the elink is provided below):

<http://www.recaap.org/Portals/0/docs/Reports/2016/Special%20Report%20on%20Abducting%20of%20Crew%20from%20Tug%20Boats%20in%20Waters%20off%20East%20Sabah%20and%20South%20Philippines.pdf>

Comparative Record of Incidents 2015: ReCAAP ISC and ICC/IMB PRC

Number of Incidents: ReCAAP ISC

	Piracy	Armed Robbery	Attempted
1st Quarter			
SE Asia (MS)*	-	1	-
SE Asia (Other)*	3	26	3
2nd Quarter			
SE Asia (MS)	-	2	1
SE Asia (Other)	7	42	2
3rd Quarter			
SE Asia (MS)	-	1	-
SE Asia (Other)	-	41	5
4th Quarter			
SE Asia (MS)	-	-	-
SE Asia (Other)	-	17	2
Total 2015	10	130	13
Gross Total		153	

Number of Incidents: ICC/IMB PRC

	Piracy	Armed Robbery	Attempted
1st Quarter			
SE Asia (MS)	1	-	-
SE Asia (Other)	4	28	2
2nd Quarter			
SE Asia (MS)	1	1	-
SE Asia (Other)	5	39	5
3rd Quarter			
SE Asia (MS)	2	-	-
SE Asia (Other)	-	34	4
4th Quarter			
SE Asia (MS)	-	-	-
SE Asia (Other)	-	16	5
Total 2015	13	118	16
Gross Total		147	

	Piracy	Armed Robbery	Attempted
1st Quarter			
Far East	-	7	-
2nd Quarter			
Far East	-	6	-
3rd Quarter			
Far East	-	6	-
4th Quarter			
Far East	-	10	-
Total 2015	-	29	-
Gross Total		29	

	Piracy	Armed Robbery	Attempted
1st Quarter			
Far East	-	8	-
2nd Quarter			
Far East	2	3	1
3rd Quarter			
Far East	-	5	-
4th Quarter			
Far East	1	10	1
Total 2015	3	26	2
Gross Total		31	

* MS denotes Strait of Malacca; Other denotes Excluding Strait of Malacca.

Extracted from ReCAAP ISC and ICC IMB PRC reports.

Location & Timing Matrix

	Type & Location Timing		PIRACY		ARMED ROBBERY			Total	%
			Malacca Straits	Other than Malacca Straits	Singapore Straits	In Port or Anchorage	Others		
Q1	Actual Attacks	0001 to 0600		1	14	1		16	11%
		0601 to 1200				6		6	4%
		1201 to 1800		1	1	2		4	3%
		1801 to 2359	1	2		3	1	7	5%
	Attempted Attacks	0001 to 0600							
		0601 to 1200		2				2	1%
		1201 to 1800							
		1801 to 2359							
Q1 Total		1	6	15	12	1	35	24%	
Q2	Actual Attacks	0001 to 0600	1	2	23	3	6	35	24%
		0601 to 1200			1	1		2	1%
		1201 to 1800				2		2	1%
		1801 to 2359		3	1	1	2	7	5%
	Attempted Attacks	0001 to 0600			3	1		4	3%
		0601 to 1200					1	1	1%
		1201 to 1800							
		1801 to 2359							
Q2 Total		1	5	28	8	9	51	35%	
Q3	Actual Attacks	0001 to 0600			16	5		21	14%
		0601 to 1200			2	5		7	5%
		1201 to 1800							
		1801 to 2359	2		2			4	3%
		Time Not Stated			1	3		4	3%
	Attempted Attacks	0001 to 0600			3			3	2%
		0601 to 1200							
		1201 to 1800							
Q3 Total		2		25	13		40	27%	
Q4	Actual Attacks	0001 to 0600			4	6		10	7%
		0601 to 1200				2	1	3	2%
		1201 to 1800				2		2	1%
		1801 to 2359				1		1	1%
	Attempted Attacks	0001 to 0600			2			2	1%
		0601 to 1200			1			1	1%
		1201 to 1800					1	1	1%
		1801 to 2359				1		1	1%
Q4 Total				7	12	2	21	14%	
2015 Total		4	11	75	45	12	147	100%	
2015 by %		3%	7%	51%	31%	8%	100%		

Source: ICC-IMB Piracy and Armed Robbery Against Ships 2015 Annual Report