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Piracy Monitoring Wars: Responsibilities for Countering Piracy

By Sam Bateman

Synopsis

A 'war of words' has broken out over the seriousness of the current threat of piracy and sea robbery in Southeast Asia and responsibilities for countering the threat.

Commentary

THE EXECUTIVE Director of the Singapore-based Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) recently took the unprecedented step of an open letter defending his organisation against media reports that it was downplaying the threat of piracy and sea robbery in the region. These reports are believed to have originated from some sections of the shipping industry.

The industry has also expressed concern about suggestions from ReCAAP that some recent incidents involving the theft of oil cargoes (short-term hijacking and oil siphoning) from small product tankers in the region have been 'insider jobs' with some crew members of the ship attacked complicit in the theft. A basic factor in the current 'war of words' is the tension between the two organisations in the region that collect data on incidents of piracy and sea robbery – ReCAAP and the Kuala Lumpur-based Piracy Reporting Centre (PRC) of the International Maritime Bureau (IMB).

Two different organisations

These are very different organisations: The PRC is a private sector initiative funded by shipping interests, particularly the insurance sector, while ReCAAP is a governmental organisation. The PRC was established in 1992 while the Information Sharing Centre (ISC) of ReCAAP was not operational until 2006.

Part of the problem arises because ReCAAP classifies each incident of piracy and sea robbery according to the level of violence used and economic loss involved. The PRC, on the other hand, does not classify incidents and counts an incident of petty theft from a ship at anchor or in port as equivalent to a major incident of ship hijacking.

With the vast majority of incidents in the region being ones of petty theft, the PRC's reports can give a

distorted picture of the true threat of piracy in the region that may lead to incorrect policy recommendations for governments. The media also often prefers to use the absolute figures presented by the PRC, which can give an exaggerated view of the threat, rather than the more nuanced reports from ReCAAP.

The short answer to the question as to who is responsible for providing security against the threat of piracy and sea robbery is that everyone is – ship owners and ship masters through to government authorities, navies, coast guards, marine police, shore police forces, port authorities, customs agencies, and so on. The cost of additional security on board a ship, including crew checks, is a 'cost of doing business' for the ship owner, and it is unfair of the shipping industry to try to place the entire responsibility for countering the threat on governments.

Dealing with the threat

The industry should recognise that is a role of ReCAAP to provide authoritative advice both to governments and industry on the actions necessary to counter the threat of piracy and sea robbery. The shipping industry also has a responsibility to clean up its own act with regard to countering piracy. While most of the industry is highly reputable, it also has a 'dark underbelly' of corruption, rapacious behaviour, crew exploitation and criminal activity.

A recent incident provides an example of this 'underbelly'. Two small product tankers were recently arrested by the Indonesian Marine Police for illegal oil bunkering. One vessel, the 740 gross tons Malaysian-flag vessel, *Urban Success*, was carrying nearly 700,000 litres of fuel without legal documents and port clearances. It had allegedly received this oil from the very small 347 gross tons product tanker *Virgo* flagged in Equatorial Guinea.

This vessel had three sets of ship documents on board, showing that the vessel was renamed and repainted immediately after every fuel oil transferring operation. Both ships were old and probably sub-standard with regard to safety, security, ship maintenance and crew certification – particularly so in the case of the *Virgo* which seems to have been operating in the region for many years under different names and flags without having undergone any inspections by port authorities.

When a case of fuel siphoning occurs, the fuel has to be transferred into a vessel large enough to receive the stolen fuel. Hence it should be possible to identify it. The *Virgo* is very likely such a vessel and the fuel it transferred to the *Urban Success* could well have been the result of a ship hijacking. It is a sad reflection on regional maritime security generally that such a vessel has been able to operate freely in the region without being identified as a 'high risk' vessel and tracked and inspected accordingly.

All must play their parts

The shipping industry has been calling for additional patrolling at sea and some navies have promoted the idea of joint patrols of areas where attacks are occurring. These would help but they are far from being the only solution to the current situation. Concerted action is required by all with a stake in countering piracy.

The shipping industry must ensure that merchant vessels follow best management practices of ship security and that its reputation is not tarnished by ships such as the *Virgo* and *Urban Success*. Close cooperation is required by regional police forces, port authorities and customs authorities to prevent illegal fuel transfers and theft.

An effective system of maritime domain awareness and information-sharing is required in the region to identify and track suspicious vessels. The current 'war of words' is not helping the development of these arrangements. And rather than competing, ReCAAP and the IMB should be working together recognising that each has its own unique contribution to make to countering piracy and sea robbery in the region.

Sam Bateman is an adviser to the Maritime Security Programme at the S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University, Singapore. He is a former Australian naval commodore with research interests in good order at sea.

Nanyang Technological University

Block S4, Level B4, 50 Nanyang Avenue, Singapore 639798
Tel: +65 6790 6982 | Fax: +65 6794 0617 | www.rsis.edu.sg