

**THE PROTECTION OF THE MARINE ENVIRONMENT AND
SHIPPING: CONTEMPORARY CHALLENGES
AND NEW APPROACHES**

**INSTITUTIONAL INTERACTIONS ON THE REGULATION OF
SHIPPING IN SOUTHEAST ASIA**

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THURSDAY, 21 NOVEMBER 2024, SINGAPORE

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- **AN SOUTHEAST ASIAN OVERVIEW**
- **MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE ASIA-PACIFIC REGION (TOKYO MOU)**
- **REGIONAL COOPERATION AGREEMENT ON COMBATING PIRACY AND ARMED ROBBERY AGAINST SHIPS IN ASIA (RECAAP)**
- **STRAITS OF MALACCA AND SINGAPORE (SOMS)**
- **SINGAPORE'S ACTIVE ROLES: INFORMATION FUSION CENTRE (IFC) AND THE SEARCH AND RESCUE CENTRE**
- **OBSERVATIONS**

Maritime safety of shipping in Southeast Asia

High incidence of maritime accidents

Significant shipping losses

Common reasons for insurance claims: machinery breakdowns and collisions

ASEAN mechanisms and instruments

Under ASEAN Economic Community | ASEAN cooperation in transportation

ASEAN Transport Ministers Meeting; ASEAN Senior Transport Officials Meeting; ASEAN Maritime Transport Working Group; ASEAN Transport Search and Rescue Forum

ASEAN Plan of Action in Transport and Communications, 1994–1996, 1994; ASEAN Search and Rescue Standard Operating Procedures, 2018; Kuala Lumpur Transport Strategic Plan (ASEAN Transport Strategic Plan) 2016-2025

ASEAN Plus mechanism

Agreement on Maritime Transport between ASEAN Member States and China, 2007; ASEAN – Japan Ministerial Declaration on Transport Security, 2007

<http://www.hongkongmaritimehub.com/asia-pacific-remains-top-shipping-loss-region-in-face-of-falling-loss-incidents/>
<https://sites.google.com/view/aseancmeproject/home%20?>

Varying ASEAN member state participation in key global maritime safety conventions

- Convention on International Regulations for the Prevention of Collisions at Sea, 1972 (ASEAN member states – Laos, Myanmar, the Philippines, Timor Leste)
- International Convention for the Safety of Life at Sea, 1974 (ASEAN member states – Laos, Myanmar, Timor Leste)
- International Convention on Standards of Training, Certification and Watching for Seafarers, 1978 (ASEAN member states – Cambodia, Laos, Myanmar, Timor Leste)
- Maritime Labour Convention, 2006 (Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Viet Nam)
- International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (Indonesia)
- International Convention on Maritime Search and Rescue, 1979 (Singapore)

AN SOUTHEAST ASIAN OVERVIEW

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Varying ASEAN member state participation in key global marine environment conventions

1973/1978 Convention for the Prevention of Pollution from Ships (ASEAN – Laos, Timor Leste)

1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter/ 1996 Protocol (The Philippines)

<https://sites.google.com/view/aseancmeproject/home%20?>

Port state control (PSC) is a parallel mechanism to flag state jurisdiction, shipowner management, and international organisation regulations in the context of complying with the requirements of the international maritime instruments

The major responsibility for implementing relevant maritime conventions is with the jurisdiction of flag states, yet, port states are entitled to control foreign ships entering their ports to ensure that any deficiencies found are addressed before such ships are allowed to leave. Port state control is regarded as measures complementary to the flag state control.

Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo MOU) was concluded in December 1993 in Tokyo

One of the most active regional port state control organisations in the world, with 22 member Authorities in the Asia-Pacific region


It aims to establish an effective port state control regime in the Asia-Pacific region through cooperation of its members and harmonisation of activities, to eliminate sub-standard shipping, to promote maritime safety, protect the marine environment and to safeguard working and living conditions on board

The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) was concluded in Nov 2004. It is the first and only regional intergovernmental agreement to promote and enhance cooperation to suppress piracy and armed robbery against ships in Asia

Contracting Parties: Australia, Bangladesh, Brunei, Cambodia, China, Denmark, Germany, India, Japan, South Korea, Laos, Myanmar, Netherlands, Norway, the Philippines, Singapore, Sri Lanka, Thailand, United Kingdom, United States and Viet Nam

The ReCAAP has an

ISC's three pillars of information sharing arrangements. The ReCAAP's three pillars are regional and international cooperation, information sharing, and ship crew

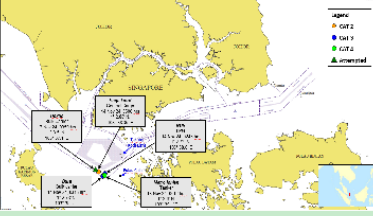


Piracy and Armed Robbery against Ships in Asia
Weekly Report (12-18 Nov 2024)

Infinite Studios, 21 Media Circle, #05-04, (S)138542

OVERVIEW

Five incidents of armed robbery against ships in Asia (one CAT 2 incident¹, two CAT 3 incidents², one CAT 4 incident³ and one attempted incident⁴) were reported to the ReCAAP ISC. All incidents occurred while the ships were underway in the eastbound lane of the Traffic Separation Scheme (TSS) of the Singapore Straits (SS). One incident occurred on 13 Nov, three incidents on 14 Nov and one attempted incident on 17 Nov. All five incidents took place in close proximity with each other, onboard ships while transiting the Phillip Channel. Details of the incidents are shown in table (*).



Factors	Location				
	Straits of Malacca and Singapore (SOMS)				
	About 3.0nm northwest of Pulau Cula, Indonesia	About 4.2nm northwest of Pulau Cula, Indonesia	About 4.2nm northwest of Pulau Cula, Indonesia	About 4.3nm northwest of Pulau Cula, Indonesia	About 5.7nm northwest of Pulau Cula, Indonesia
Type of ship	Tanker	LPG	Bulk carrier	General cargo	Bulk carrier
Date/Time	13 Nov at 0012 hrs	14 Nov at 0245 hrs	14 Nov at 0346 hrs	14 Nov at 0505 hrs	17 Nov at 0350 hrs
Number of perpetrators	unknown	5 men	1 man	7-8 men	2-3 men
Weapons	Not stated	Metal rod	Gun-like object	Gun-like object	Not stated
Treatment of crew	No injuries	No injuries	No injuries	No injuries	No injuries
Significance level	CAT 4	CAT 3	CAT 3	CAT 2	Attempted
Items stolen	Engine spares	Nil	Nil	Engine spares & unsecured items	Nil

AREA OF CONCERN

The ReCAAP ISC issued an Incident Alert on 14 Nov 2024, to alert the shipping industry of the incidents that occurred within a short time interval and at close proximity to each other in SOMS on 13 Nov and 14 Nov. Ships are advised to intensify vigilance and maintain sharp look-out while transiting the areas of concern; and also the littoral States to strengthen coordination, increase patrols/surveillance in their respective waters, respond promptly to incidents reported by ships, and promote information sharing on incidents and criminal groups. With these five incidents, a total of 47 incidents (46 incidents in Singapore Strait and one incident in Malacca Strait) were reported in SOMS since January 2024.


SITUATION OF ABDUCTION OF CREW IN THE SULU-CELEBES SEAS AND WATERS OFF EASTERN SABAH

Re-Assessment and Downgrading of threat level

The efforts by the Philippine Government in Zamboanga, Sulu, and Tawi-Tawi through the conduct of continuous military operations led to the dismantling of the support base and neutralising the Abu Sayyaf Group (ASG) in Sulu archipelago. Against this backdrop, the Philippine Coast Guard (PCG), coordinated with other stakeholders and counterparts that have vital involvement in the maritime security of the Sulu-Celebes Seas, reviewed the threat situation and recommended further downgrading the threat level of 'Abduction of crew for ransom in the Sulu-Celebes Seas' from 'MODERATE' to 'MODERATE LOW', which implies that 'incidents are unlikely to occur due to perpetrators' perceived lack of capability to orchestrate an attack. Nevertheless, minimal damages are expected to the vessel and crew in case of an attack⁵.

Update of ReCAAP ISC Advisory

- With downgrading of the threat on the 'Abduction of Crew for ransom in the Sulu-Celebes seas' by the PCG, ReCAAP ISC have updated its Advisory for ships to **"exercise vigilance & adopt necessary preventive measures while transiting the area"**
- For ships transiting the area, the ship masters and crew are strongly encouraged to exercise extra **vigilance and report** all incidents immediately to the Operation Centres of the Philippines and Eastern Sabah Security Command (ESSCOM) of Malaysia. The Contact Details of the Operation Centres of the Philippines and ESSCOM of Malaysia are as shown in Picture 1.



1 Philippine Coast Guard District Southwestern Mindanao
Tel: +63 939 889 7572
Fax: +63 939 258 1965
WHF: Cebu City, 3306th Cora. Leg. 10077, 10077
Email: info@pcg.gov.ph

2 Philippine Coast Guard Station, Bongao (Lantaw Tawi Tawi)
Tel: +63 939 875 7541
Fax: +63 939 875 8875
WHF: Cebu City, 3306th Cora. Leg. 10077, 10077
Email: info@pcg.gov.ph

3 Philippine Navy - Littoral Monitoring Station (LMS), Bongao, Tawi Tawi
Tel: +63 939 875 4333
WHF: Cebu City, 3306th Cora. Leg. 10077, 10077
Email: info@navy.mil.ph

4 Eastern Sabah Security Command (ESSCOM)
Tel: +63 8833 212 116
Fax: +63 8833 212 117
WHF: Cebu City, 3306th Cora. Leg. 10077, 10077
Email: info@esscom.mil.ph

Picture 1

RECOMMENDATIONS

Ship master and crew are to report all incidents of piracy and armed robbery against ships to the nearest coastal State and flag State, referring to the Poster on the *Contact Details for Reporting of Incidents of Piracy and Armed Robbery against Ships in Asia*, exercise vigilance and adopt appropriate preventive measures taking reference from the *Regional Guide 2 to Counter Piracy and Armed Robbery Against Ships in Asia*; both produced by the ReCAAP ISC.

Follow us on:	W: www.recaap.org	Twitter: https://twitter.com/recaapisc	LinkedIn: https://www.linkedin.com/company/recaap-information-sharing-centre
Contact us at:	E: info@recaap.org	T: +65 6376 3043	F: +65 6376 3046

* Table at <https://www.recaap.org/resources/cx/files/Number%20of%20Incidents%20in%20the%20SOMS%20for%202024.pdf> for details of the incidents.

Enhancing Regional Cooperation...

) in Singapore

ty building and cooperative
ting Parties, shipping industry
ents involving merchants and

The ReCAAP has an Information Sharing Centre (ISC) in Singapore

ISC's three pillars - information sharing, capacity building and cooperative arrangements. The ReCAAP ISC engages the Contracting Parties, shipping industry and international partners to prevent maritime incidents involving merchants and ship crew

Launched in 2007, by three littoral states bordering the Straits of Malacca and Singapore (SOMS), Indonesia, Malaysia and Singapore, after years of discussions and negotiations. This mechanism is designed to enable littoral states, user states and other stakeholders to cooperate in enhancing navigational safety and environmental protection in the SOMS

UNCLOS Article 43 on navigational and safety aids and other improvements and the prevention, reduction and control of pollution in regard to straits used for international navigation

Cooperative mechanisms include a Cooperation Forum, a Project Coordination Committee and Aids to Navigation Fund

The Cooperation Forum is the main forum, held by littoral states, for the user states, the shipping industry and other stakeholders to be invited to meet and discuss, to promote exchange of views on topics of common interest in SOMS. Singapore held the 14th version of the Cooperation Forum in 2023

Project Coordination Committee: removal of wrecks in the Traffic Separation Scheme, capacity building on hazardous and noxious substance preparedness and response, oil spilling monitoring system

Fund: administered and operated by an authority appointed by littoral states; voluntary basis contributions

SINGAPORE'S ACTIVE ROLES: IFC AND THE SEARCH AND RESCUE CENTRE

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The Information Fusion Centre (IFC) in Singapore is a regional maritime security center established to enhance information sharing and collaboration among government maritime agencies including navies and coast guards

Established in 2009 at the Changi Command and Control Centre in Singapore; aims to enhance maritime security by facilitating real-time information exchange and collaboration among international partners

Focuses on maritime domain awareness by monitoring and analysing maritime activities; to improve regional maritime security, prevent incidents at sea, and respond effectively to maritime threats like piracy, smuggling, and terrorism

<https://www.ifc.org.sg>

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IFC collaborates with navies, coast guards, and maritime agencies – serves as a hub for liaison officers from different countries, promoting a cooperative approach to maritime security challenges

IFC deploys advanced technologies and systems to gather, fuse, and disseminate maritime information; uses data from diverse sources for a comprehensive maritime picture; important for informed decision-making

Main activities: information sharing through database, reports and meetings; administer a regional voluntary community reporting system; provides security updates and advisories to shipping industry; capacity building (exercises/courses/visits); facilitates multinational maritime operations and exercises

<https://www.ifc.org.sg>

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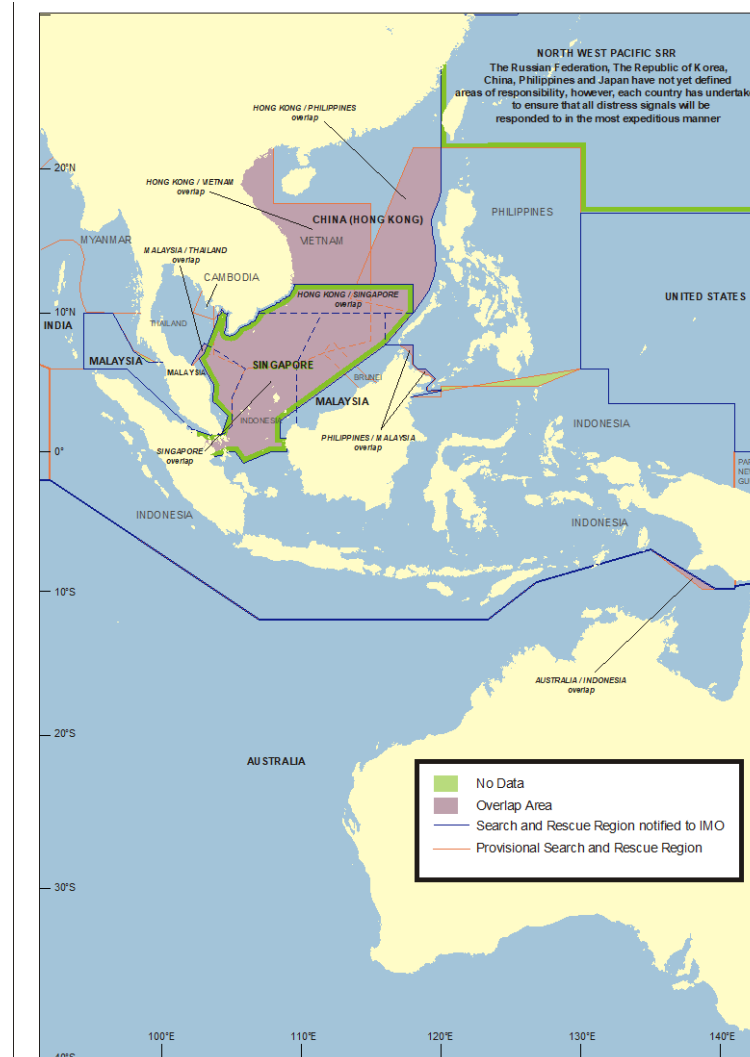
The International Convention on Maritime Search and Rescue (SAR Convention) aims to develop an international search and rescue plan to ensure that in an occasion where an accident occurs, the rescue of persons in distress at sea will be coordinated by a search and rescue organisation, and when necessary, by cooperation between neighbouring search and rescue organisations.

The Annex to the SAR Convention stipulates specific requirements on establishing search and rescue regions, services and centres cooperation and coordination, particularly between neighbouring states, ship reporting systems to facilitate search and rescue operations.

SINGAPORE'S ACTIVE ROLES: IFC AND THE SEARCH AND RESCUE CENTRE

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<https://qisis.imo.org/Public/COMSAR/RCC.aspx>
<https://www.dco.uscg.mil/Portals/9/CG-5R/nsarc/IMO%20Maritime%20SAR%20Regions.pdf>
<https://www.mpa.gov.sg/port-marine-ops/port-safety-security/search-rescue>

SINGAPORE'S ACTIVE ROLE: IFC AND THE SEARCH AND RESCUE CENTRE

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The Maritime and Port Authority of Singapore (MPA) is responsible for coordinating maritime search and rescue operations within Singapore's maritime search and rescue region, covering both Singapore and over 1 million km² of the South China Sea

The Port Operations Control Centre operates a shore-based Global Maritime Distress and Safety System (GMDSS) facility to monitor distress alerts and calls from ships, and coordinate SAR operations. It also disseminates Maritime Safety Information (MSI) through different communication systems.

ASEAN Rescue Coordination Centres listed on IMO website:
Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam

<https://gisis.imo.org/Public/COMSAR/RCC.aspx>

<https://www.dco.uscg.mil/Portals/9/CG-5R/nsarc/IMO%20Maritime%20SAR%20Regions.pdf>

<https://www.mpa.gov.sg/port-marine-ops/port-safety-security/search-rescue>

OBSERVATIONS

- Limited participation in global treaties
 - No ASEAN mechanism for maritime safety – focusing on shipping as a form of transportation
 - Lacking cross-sectoral cooperation within ASEAN – only under the economic pillar
-
- Broader participation in key global maritime treaties – international level
 - An ASEAN mechanism focused on maritime safety cooperation, and include the discussions of shipping under other relevant ASEAN sectors – regional level

Thank you!

Get in touch at liu.yulu@nus.edu.sg