

RISK INTELLIGENCE

Background

The present threat of maritime attacks against vessels whilst underway in the Sulu Sea and Celebes Sea has raised questions regarding the use of private armed security guards and armed government sea marshals in the affected area as well as the region in general.

The primary locations of attacks, carried out by Abu Sayyaf linked perpetrators, has been in Philippines waters but has also included locations close to Indonesia and to Malaysia off Sabah.

Local tugs and fishing vessels have to date been the main targets, but there have been attacks against merchant vessels in transit and crew members kidnapped.

Overview

Addressing this issue in an advisory to its members in 2015, P&I Club Skuld wrote, "The littoral states in (South East Asia) take matters of security very seriously and at present there are no arrangements or regulations in place that would allow armed PMSCs to be on board vessels in the same way as in the GoA area.

There is therefore the risk of offending the laws of littoral states which could see vessels, crews and PMC personnel detained and subjected to prosecution."

In contrast to other locations, to date only two countries in South East Asia are known to have officially approved of the use of government employed armed sea marshals on board merchant vessels: Malaysia and Philippines. In both cases, such protection is only provided to vessels registered in the two respective countries. For Philippines the policy only applies to passenger ferries.

Otherwise tugs, fishing craft and cargo vessels navigating in the Sulu Sea and Celebes Sea are not allowed to engage the services of armed PMSCs. There are no known restrictions regarding the employment of unarmed security guards/advisers in the aforementioned countries

Country summary

Indonesia: No armed guards are permitted.

Malaysian waters and the Malacca Strait: Only Malaysian government sanctioned armed guards may be arranged for Malaysian ships. This includes Malaysian waters adjacent to Philippines waters in the Sulu/Celebes area.

Philippines: Only Philippines sea marshals are allowed on Philippines passenger ferries or to merchant ships (latest) through legal licensed organizations

Singapore and the Singapore Strait: Vessels in Singaporean waters are not allowed to have private armed guards or weapons on board, and there is no option to engage government employed armed personnel. This applies for vessels calling at the port of Singapore, at the anchorages and during innocent passage.

Vietnam: No armed guards are permitted