

# Security Association for the Maritime Industry (SAMI)

Peter Cook

Founder & Security Director

# Security Association for the Maritime Industry (SAMI)

- Problem
- SAMI Concept
- Characteristics of SAMI
- The development of standards for security on the High Seas for the maritime security industry.
- Challenges ahead

# Summer 2008 – Piracy off Somalia



# Piracy off Somalia

- Explosion of piracy in the Gulf of Aden.
- Ships being taken and held with crews held for ever increasing ransoms.
- Navies inadequate resources to be able to counter the growing threat.
- Industry formulated Best Management Practice (BMP) with limited take-up
- Unarmed private security teams used widely

# MV Biscaglia

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Page last updated at 14:18 GMT, Friday, 28 November 2008

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## British crew escape pirate hijack

**Two British security guards have jumped overboard from a chemical tanker seized by Somali pirates in the Gulf of Aden, British diplomats have said.**



The men, along with another crew member, were picked up from the sea by a German naval helicopter.

The Liberian registered vessel, which has at least 28 crew, is now thought to be under the control of pirates.

There have been almost 100 attacks on ships by pirates off east Africa so far this year.

The British High Commission in Nairobi said: "The MV Biscaglia was attacked this morning."

**SOMALIA - FAILED STATE**

ISLAMISTS ON THE RISE

**Islamist rivalry**  
Why Somalia's allies have fallen out

- ▶ FBI probe biggest plot since 9/11
- ▶ Meeting al-Shabab
- ▶ Mogadishu's lost innocents
- ▶ Journalist: 'I saw my boss shot dead'
- ▶ Somali rage at grave desecration
- ▶ Justice - Islamist-style
- ▶ Profile: President Ahmed

PIRACY HOT-SPOT

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# Piracy off Somalia

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- Ships being taken and held with crews held for ever increasing ransoms.
- Navies inadequate resources to be able to counter the growing threat.
- Industry formulated Best Management Practice (BMP) with limited take-up
- Unarmed private security teams used widely
- Development of armed guards business model



# SAMI Concept

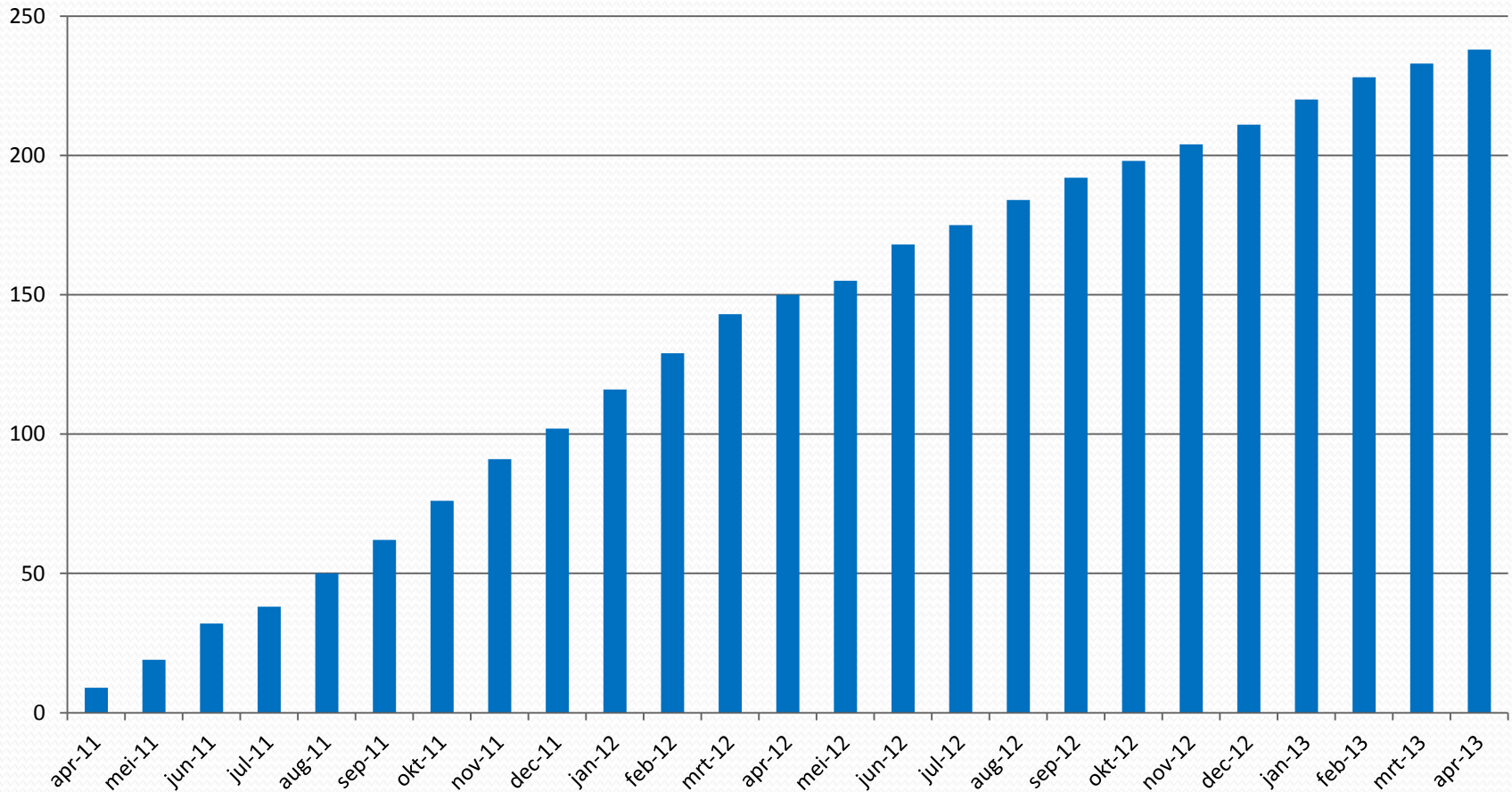
## Problems

- Client:
  - Ship owner/manager/charterer
  - Flag State
  - Insurance Underwriter/P&I Club
- Unable to differentiate good company from bad
- Good PMSC competing with entrepreneurs

## Solution

- Formulate a list of reputable companies making it easy for the client to identify a good PMSC.
- PMSCs on the list form a guild to improve and develop standards.

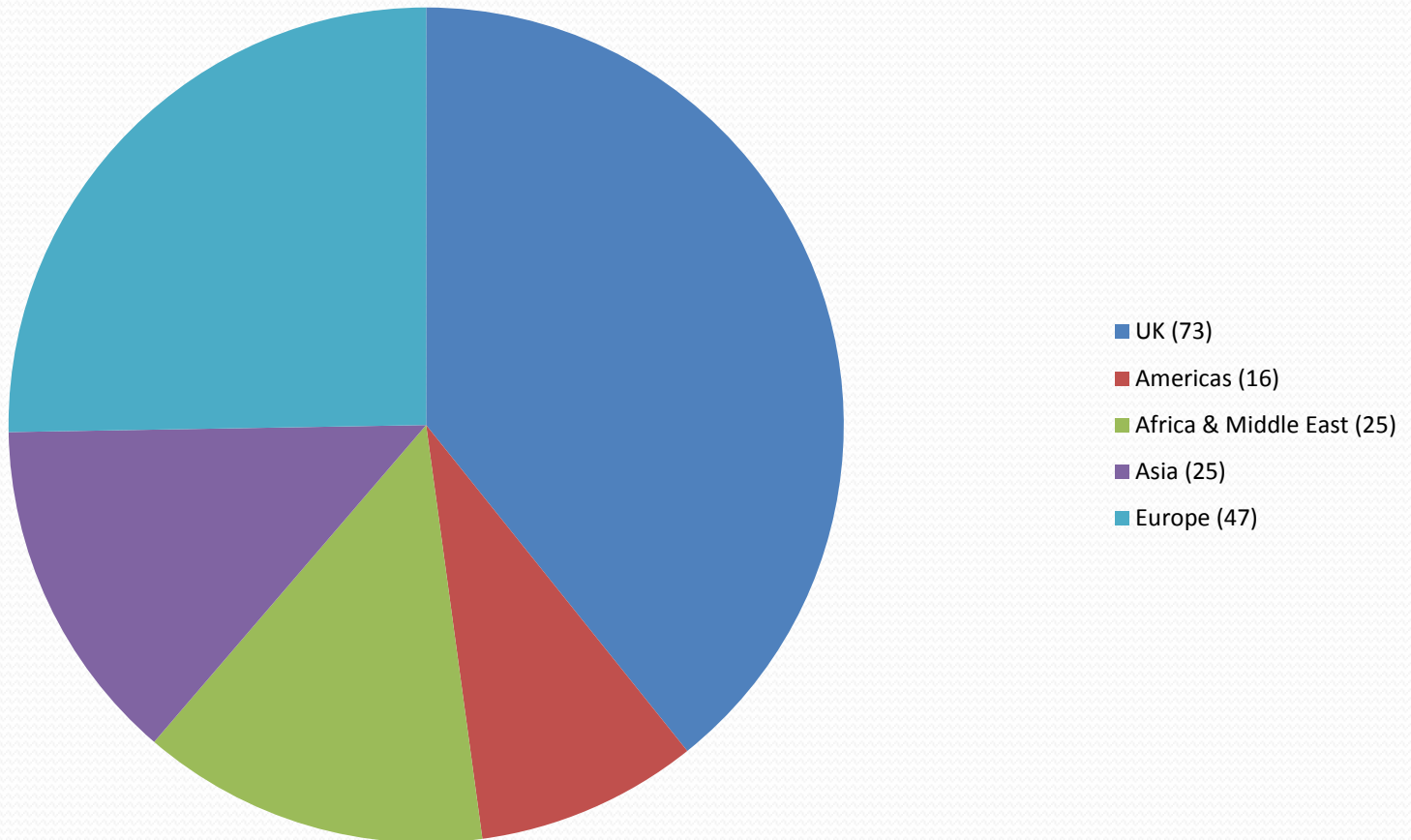
# SAMI launched April 2011



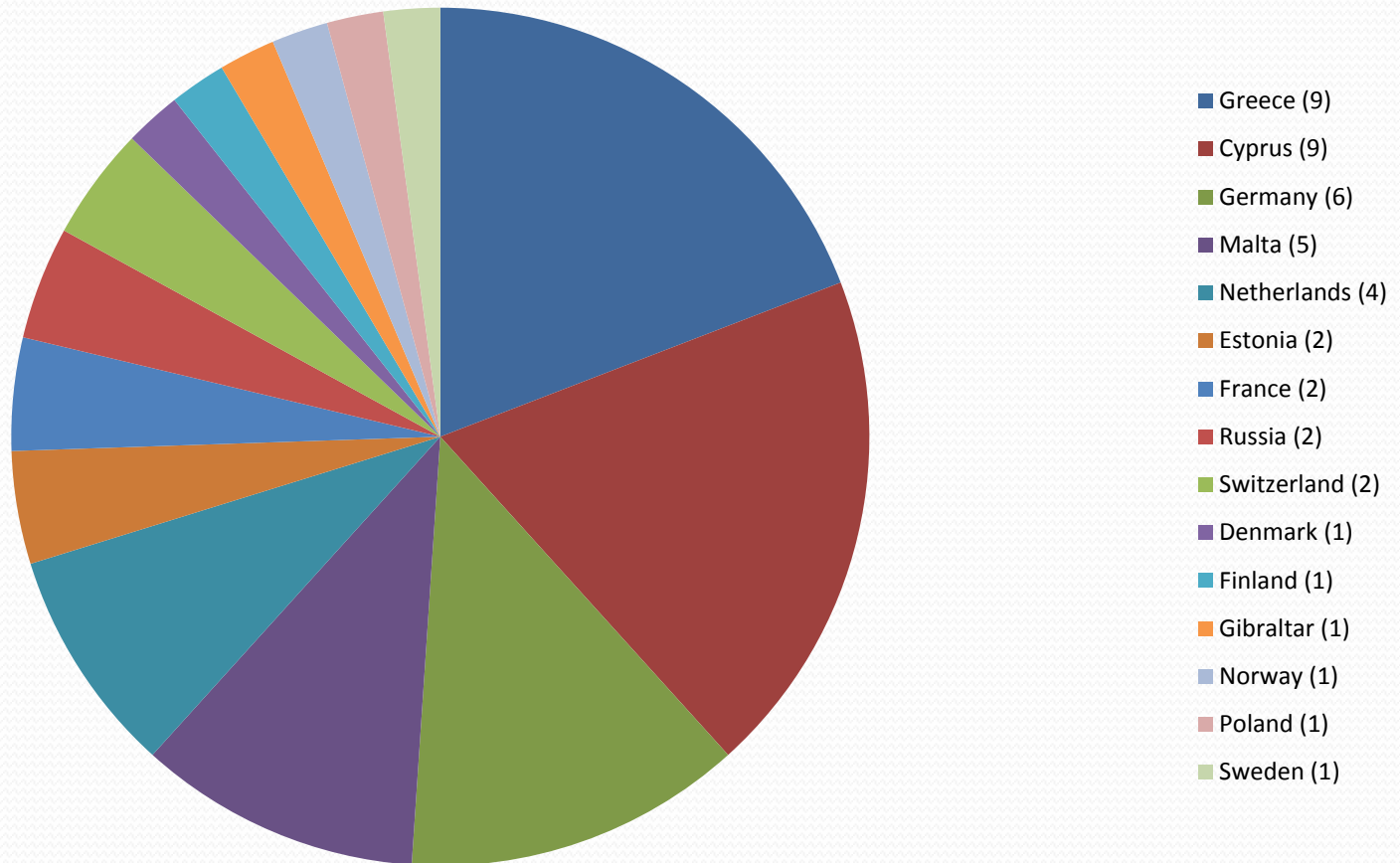


# Current Global Membership

180



# SAMI European Membership



# Characteristics of SAMI

- International (186 members from 37 different countries)
- Independent – NGO
- Impartial – Directors, not for profit
- Integrated with Industry

# Standards

## **THE MONTREUX DOCUMENT**

**On pertinent international legal obligations  
and good practices for States related to operations  
of private military and security companies  
during armed conflict**

**Montreux, 17 September 2008**

# However!

## **THE MONTREUX DOCUMENT**

**On pertinent international legal obligations  
and good practices for States related to operations  
of private military and security companies  
during armed conflict**

**Montreux, 17 September 2008**

**INTERNATIONAL  
CODE OF CONDUCT FOR  
PRIVATE SECURITY SERVICE  
PROVIDERS**

**9 November 2010**

# However!

- Despite more than 47% of the signatories being PMSCs and a further 11% involved in maritime and other forms of security there is no reference to maritime security in the Articles.
- No formal acknowledgement of ISO/PAS 28007 as a qualifying certificate for membership.
- Financial structure unclear and concerns over sustainability.
- Not accepted by the IMO and therefore relevance to PMSCs is doubtful.





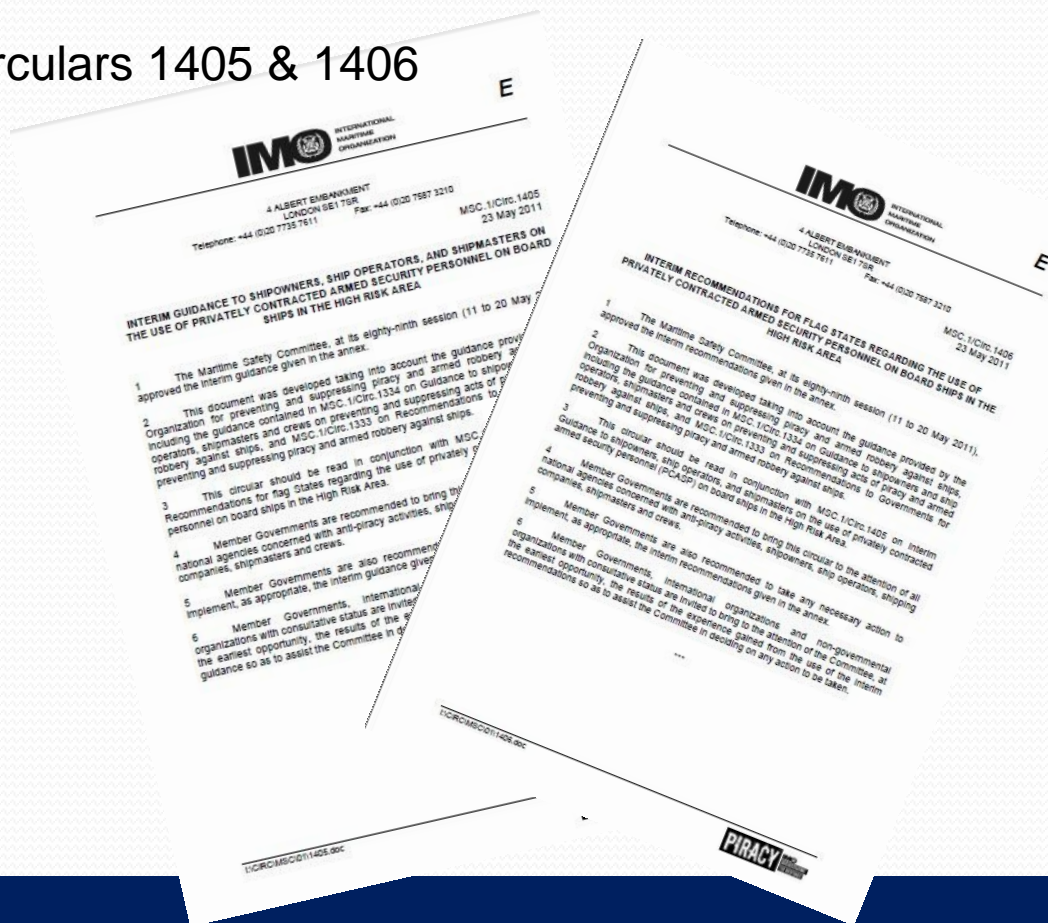
# Maritime security

# International Maritime Organisation (IMO)



# May 2011

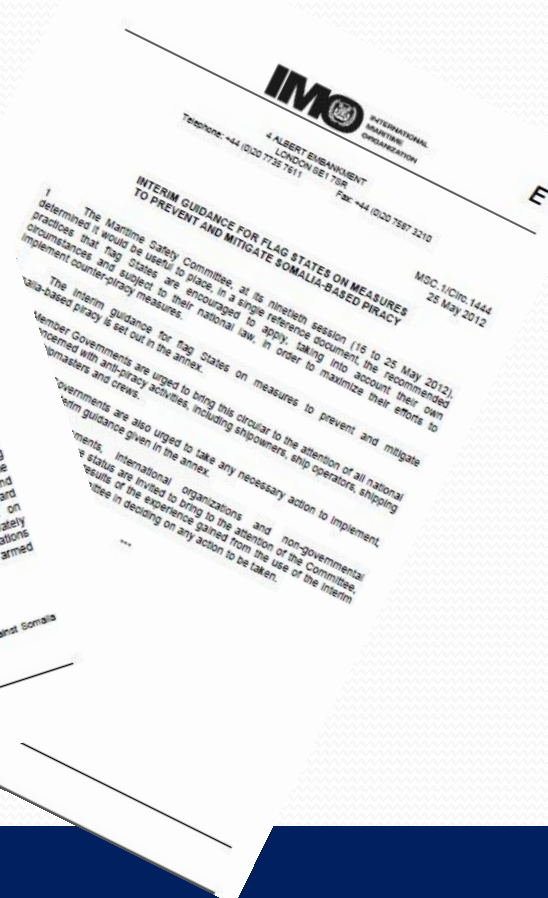
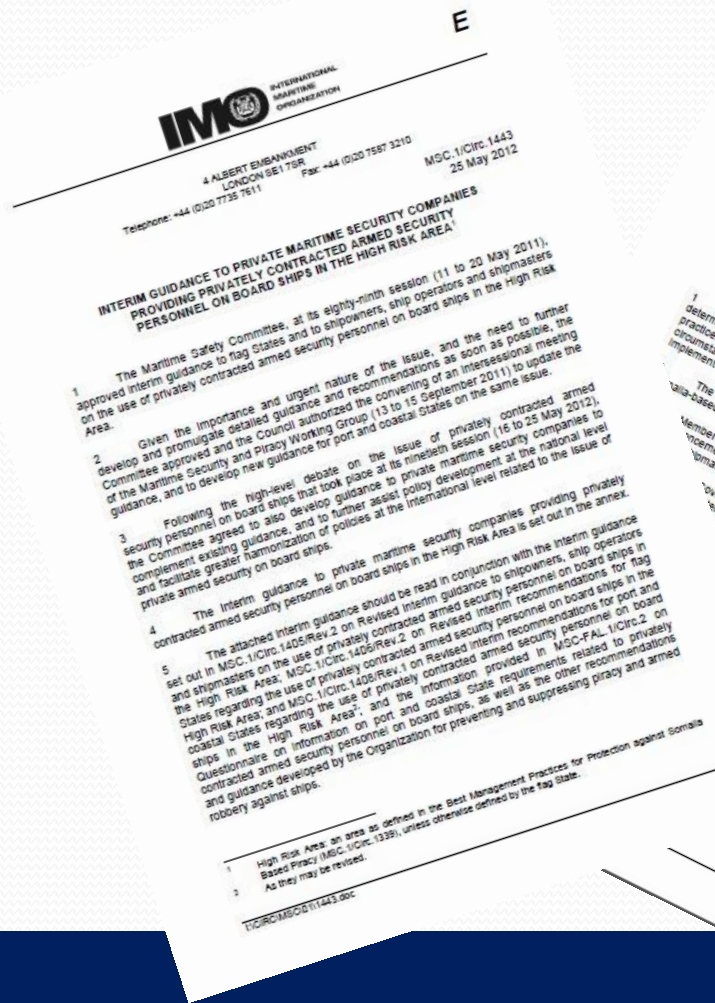
## MSC Circulars 1405 & 1406





# May 2012

MSC Circulars 1443 & 1444 (MSC Circular 1443 was entrusted to ISO).



# ISO/PAS 28007 – Nov 2012

PUBLICLY  
AVAILABLE  
SPECIFICATION

ISO/PAS  
28007

First edition  
2012-12-15

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**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)**

*Navires et technologie maritime — Guide destiné aux sociétés privées de sécurité maritime (PMSC) fournissant des agents de protection armés embarqués sous contrat privé (PCASP) à bord de navires (et contrat pro forma)*

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ISO/PAS 28007:2012(E)  
Licensed by Standards  
ISO (Geneva office)  
Single user license  
© ISO 2012

Reference number  
ISO/PAS 28007:2012(E)

© ISO 2012

- Incorporated SAMI Standard.
- Core drafting team comprised BIMCO & ICS from shipping industry, SAMI & SCEG from maritime security industry.
- ISO 28000 series is Supply Chain Security.

# Accompanying Documents



# 100 Series Rules for the Use of Force (RUF)

- The 100 Series Rules have been developed for the benefit of the entire maritime industry and under-pinned by a thorough public international and criminal law legal review using an **objective** international law test of what is "**reasonable and necessary**" when force is used, as a lawful last resort, in self-defence. This objective international legal test is deemed to be of a higher legal standard than that of subjective national legislative provisions for self-defence.



# 100 Series Rules for the Use of Force (RUF)

- The 100 Series Rules **will not bind** flag States as to their use, but instead provide a choice for their potential incorporation into national guidance as determined by respective governments and competent authorities.
- The 100 Series Rules are a **model** set and example of best practice for maritime RUF. They compliment current industry RUF guidance on the drafting of RUF, as well as supporting the requirements of ISO PAS 28007 as a Publicly Available Specification and international standard.

# 100 Series Rules for the Use of Force (RUF)

- The 100 Series Rules will go to providing an international model set of RUF as against which, Privately Contracted Armed Security Personnel (PCASP) may be professionally trained, Private Maritime Security Companies (PMSCs) may be audited and operator actions both measured and judged by competent authorities.
- The 100 Series Rules **will not**, however, provide any form of indemnity or immunity whatsoever against civil or criminal liability when force has been used unlawfully.
- Master's liability and ***“Joint Enterprise”*** – *were they in it together*

# 100 Series Rules for the Use of Force (RUF)

- ISO to ratify as ISO PAS 28007 Part II.
- IMO to note MSC 92 INF 14 Paper – potentially to acknowledge via MSC Circular
- Further details at [www.100seriesrules.com](http://www.100seriesrules.com)

# Identification of credible Certification Bodies (CB) for ISO/PAS 28007

- UKAS as a national Accreditation Body authorised by the International Accreditation Forum (IAF) will conduct pilot scheme:
  - LRQA
  - MSS Global
  - RTI
- Each prospective CB will conduct a pilot certification process with 2 UK based PMSCs
- UKAS will then assess each prospective CB's audit procedures to ensure equal rigour, parity of scrutiny and process without each CB losing a separate identity.

# Identification of credible Certification Bodies (CB) for ISO/PAS 28007

- Prospective companies will then be Accredited by UKAS as CBs and they can then certify PMSCs from around the globe.
- Acceptance of ISO/PAS 28007 and the CBs by flag States.
- Education of the shipping and insurance industries about ISO/PAS 28007 and the certification process.
- In order to support both the maritime industry and our members SAMI will provide a comprehensive directory free of charge that will show which PMSCs have completed certification with which CB and other relevant certifications.

# National Certification

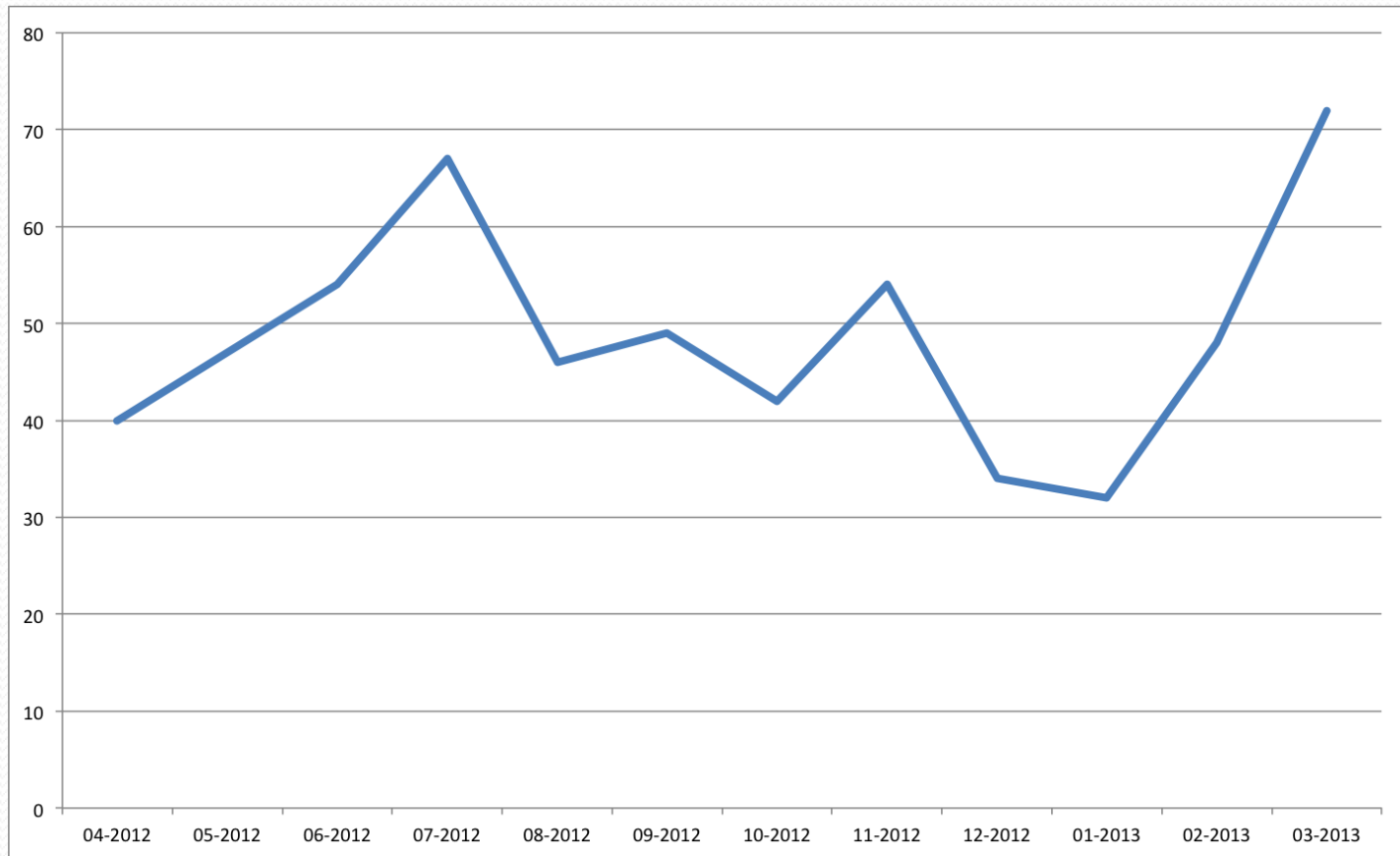
- Various nations are establishing their own certification process to cover their own national laws:
  - Belgium
  - Cyprus
  - Germany
  - Japan
  - UK – OGTCL (Maritime Ant-Piracy) & Section 5 Firearms Act
- As ISO/PAS 28007 Certification gathers momentum and credibility it is hoped that more states will recognise it as providing a substantial element of national standards.

# Challenges ahead!

- Complacency over apparent drop in piracy in the NW Indian Ocean



# HRA Concerns (Apr 12-Mar 13)



# Challenges ahead!

- Complacency over apparent drop in piracy in the NW Indian Ocean
- Floating Armouries
- West Africa
- Maritime Labour Convention (MLC)
- Equipment, Technology & Hardware (ET&H)

*“Maritime Security seems incredibly simple, but is in fact astonishingly complex.”*

***Questions?***

# Security Association for the Maritime Industry

[www.seasecurity.org](http://www.seasecurity.org)

[info@seasecurity.org](mailto:info@seasecurity.org)



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