



MALAYSIA COAST GUARD EFFORT IN COMBATING PIRACY AND ARMED ROBBERY AT SEA

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ROLES AND FUNCTIONS

SEC. 3(2), MMEA ACTS2004

“BE EMPLOYED IN THE MALAYSIA MARITIME ZONE FOR THE MAINTENANCE OF LAW AND ORDER, THE PRESERVATION OF THE PEACE, SAFETY AND SECURITY, THE PREVENTION AND DETECTION OF CRIME, THE APPREHENSION AND PROSECUTION OF OFFENDERS AND COLLECTION OF SECURITY INTELLIGENCE.”



DEFINITION

Piracy *(article 101 UNCLOS)*

Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

- (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
- (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

Robbery

In all robbery there is either **theft** or **extortion**

(Penal Code sec 390(1))

Gang Robbery

2 or more persons conjointly commit or attempt to commit a robbery

(Penal Code sec 391)

Armed Robbery

Armed with or uses deadly weapon, or causes grievous hurt to any person, or attempts to cause death or grievous hurt

(Penal Code sec 397)



TYPES OF OFFENCES

PETTY THEFT



- Disorganised crime
- Target vessel with low freeboard at anchor
- Target personal belongings and small equipment
- Light arm (machetes)
- Members less than 6 person

FUEL SIPHONING



- Organised crime
- 5 and more members
- Target cargo especially diesel
- Armed with gun and machetes)
- Use violence & extortion
- Transfer cargo at sea
- Personal belongings as side target

KIDNAP FOR RANSOM



- Organised crime
- To fund the terrorist group
- Use violence
- Armed with gun and machetes
- Target exchange – ransom hinger

LAW ENFORCEMENT CONSIDERATIONS

LEGAL COMPLEXITIES (JURISDICTION)

- LOCATION OF INCIDENT –
TERRITORIAL WATERS/ EEZ
- OFFENCES
- PERSON (MULTI-NATIONALITIES)



FLAG STATE



ROBBERS / PIRATES



PLAYERS



CARGO / SHIP'S
OWNER

ISSUES & CHALLENGES

- LACUNA IN THE LAW – PIRACY
- SHIP'S PREVENTIVE ACTIONS
- LAW ENFORCEMENT AUTHORITY RESPONSE IN DISTANT AREAS
- LATE REPORTING – NO FOCAL POINT IN MALAYSIA
- MULTI JURISDICTIONAL
- SYNDICATE CRIME





OVERCOMING MEASURES

- INCREASED PATROLS IN HOT SPOT AREAS
- DEDICATE MORE PERSONNEL
- SPECIAL OPERATIONS
- PUBLIC RELATIONS – DISSEMINATING FLYERS ON PRECAUTIONARY MEASURES FOR SHIPS AT ANCHOR
- BILATERAL AGREEMENT WITH NEIGHBOURING COUNTRIES
- REGIONAL JOINT OPERATIONS
- INCREASE INTELLIGENCE GATHERING AND REGIONAL COOPERATION

OVERCOMING MEASURES

- SAHABAT MARITIM PROJECT – MORE ENGAGEMENT WITH SHIPPING COMMUNITIES
- ENHANCE EXPERTISE IN MARITIME FORENSICS
- PROMULGATION OF MARITIME SECURITY BILL
- SHOWING PRESENCE IN HOT SPOT AREAS
- ENHANCE INTELLIGENCE GATHERING
- CONDUCT INSPECTION IN POTENTIAL SPOTTING AREA



BENEFIT



Joint Investigation

MPC & VCG Vietnam
TNI AL (WFQR)



Joint Press Conference

ABF & TNI AL (WFQR)



Assistance in Other Field

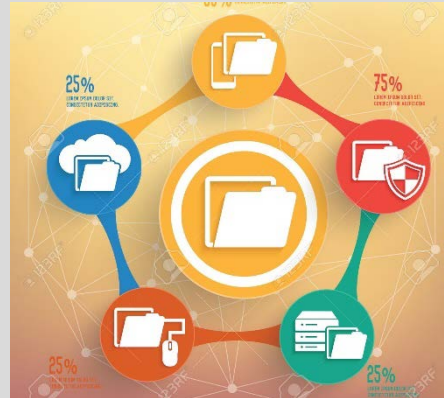


Joint operation

TYPES OF COOPERATION NEEDED



**Bilateral/ Trilateral
Training**



Sharing Info



**Secondment or
Liaison Officer in
Neighboring Country**



Joint Investigation



Thank you