

Quality-controlled protection against maritime piracy

ESS&SA (Exclusive Security Services & Special Assignments) is a Dutch maritime security company which notably deploys security teams on board merchant vessels in the Gulf of Aden to defend against pirate attacks. In the relatively young private maritime security industry, ESS&SA recently became one of the first to obtain ISO certification. This is an important step not just for ESS&SA but also for this relatively new industry in general, explains Muriel Siebel, their spokesperson. "We need to ensure that the maritime industry can easily identify reputable private maritime security companies."

ESS&SA became operational in 2010, at a time when pirate attacks against commercial vessels in the Western Indian Ocean and nearby seas reached an unprecedented level. Despite concerted efforts by the international community, the frequency of pirate attacks continued to increase, and in fact reached a record level in the first three months of 2011. They also became more violent: Somali pirates killed almost as many crew members of commercial vessels during the first three months of 2011 as they did during all of 2010.

The general ineffectiveness of existing anti-piracy measures pushed the use of armed private security contractors. Important to point out in that regard is that many of the private maritime security firms started out offering non-lethal protection for ships, such as installing barbed wire or electric fences, but this proved to be inadequate. Armed security as such became the preferred method of protection but this has remained controversial: there is a risk that these private 'armies' increase the degree of violence used during pirate

attacks, pose threats to the safety of innocent civilians, and violate a number of domestic and international laws. On that note, Ms. Siebel points out that when operating on board a commercial vessel, private security contractors must abide by the firearms laws of the flag state where the vessel is registered. Some flag states, such as the United States, allow security guards equipped with weapons to travel on board their commercial vessels, but others, such as Great Britain, only permit commercial vessels to carry a single shotgun or one-shot rifle, and still others do not allow any firearms to be transported or used on their ships. Likewise, private security contractors must also abide by the firearms laws governing the territorial seas they will pass through while escorting commercial vessels. Addressing these complex issues, ESS&SA has actively taken part in the





international effort to introduce a global quality standard. The Dutch-based company has notably been a member of SAMI, short for Security Association for the Maritime Industry, from the start. SAMI now stands as a global organisation and a focal point for global maritime security matters. In June 2013, Lloyd's Register Quality Assurance (LRQA) launched a pilot scheme assessing companies against the ISO/PAS 28007:2012 Guidelines for Private Maritime Security Companies (PMSC) providing privately contracted armed security personnel (PCASP) on board ships. In February 2014, ESS&SA became the first Dutch company to achieve certification to this standard with global certifier, LRQA. ESS&SA is now one of a select few PMSCs worldwide certified as such. The certification assures clients that ESS&SA provides high quality maritime security services, and that they contribute to establishing a uniform and high level norm for the maritime security industry.

Ms. Siebel believes that only this ISO process ensures a waterproof system for controlled and qualitative strong protection of merchant vessels. "The

certification also is an important step within the private maritime security industry in the Netherlands. The Netherlands is the only flag State within the European Union that has no regulation in place to allow and regulate privately contracted maritime protection. A new law is in process of approval, but will only enter into force in 2015. According to stakeholders, who include the Royal Dutch Association of Shipowners (KVNR), there is a strong need for a transitional system as many seafarers sailing under the Dutch flag momentarily sail through the High Risk Area unprotected. The ISO/PAS 28007 process serves perfectly as a transitional system for the Dutch government, ensuring both a controlled preparation and execution of maritime security services."

According to an ESS&SA press release on the subject, the only element to be added to the ISO/PAS 28007-process is a reporting regime to the Dutch government. Such a regime makes the process entirely suitable and ready to use for the Dutch government to fully protect the people on its fleet. "In

the Netherlands, the government historically has a monopoly on violence and the country is reluctant to allow private companies to carry firearms," Ms. Siebel adds. "We need to clarify to the government as well as to the industry and public that companies certified to ISO/PAS 28007 only use force as a last resort, and in compliance with strictly defined procedures. Our chief mission is to not just to keep the seafarers and the ship safe from harm, but also the pirates."



ESS&SA B.V.

Daalwijkdreef 47

1103 AD Amsterdam

The Netherlands

Website: www.ess-sa.eu