

Developments in Private Maritime Security Compliance Standards 2012

Steven Jones

Maritime Director, Security Association for Maritime Industry (SAMI) ¹

The rapid rise in demand for Privately Contracted Armed Security Personnel (PCASP) deployed on board ships led to significant deliberation within the International Maritime Organization (IMO). After rigorous debate, interim guidance to private maritime security companies (PMSCs) was agreed within IMO's 90th session of the Maritime Safety Committee (MSC) in May 2012. A special high-level maritime security working group of the MSC examined how the international community should deal with issues related to the deployment of PCASP. It was agreed that the International Organization for Standardization (ISO) would be best placed to develop new international standards for the assessment of PMSCs. These standards are intended to ensure that the PMSC industry is responsible, professional and effective, while also 1) improving accountability 2) helping clients to identify competent companies and 3) raising standards internationally.

As the work progressed, a pre-existing standard that could be used for accredited certification was identified; this was ISO 28000, a 'supply chain security' standard that enables an organization to establish an overall risk-based approach to managing any disruptive event in the supply chain, and this remit was deemed suitable for the issue of piracy. The concept was to create a new standard fully compatible with ISO management systems that uses the existing ISO 28000 framework to meet the criteria for certification, accreditation and legal compliance. This led to the development of ISO/PAS 28007:2012, a standard that provides guidelines and sector-specific recommendations for organizations to demonstrate that they meet internationally agreed standards as PCASP providers. By meeting the requirements of ISO 28007, PMSCs can demonstrate to the international community that they possess the quality standards required to guard commercial vessels on the high seas legally, safely and effectively.

Compliance

Compliance with ISO/PAS 28007:2012 can be by first, second and third party certification. Using the guidelines of ISO PAS 28007, accredited inspectors assess the organizational

capability of the company according to an extensive list of criteria. If the conditions are duly satisfied, a PMSC is classified as a certified Privately Contracted Armed Security Personnel (PCASP) provider. The bodies responsible for assessing PMSCs are now pushing on with the task at hand.

The key components of ISO28007 include the following:

- Management of the security system (security risk assessments);
- Clearly defined key management responsibilities,
- Clearly defined legal and other regulatory requirements and internal audits of operations), and;
- Procedural aspects (rules of authority, contractor selection, screening and vetting, authorising licensing of firearms, prevention of incidents, incident management and emergency response, investigation and reporting of incidents, procedures for detainment, identification, interface with crew and familiarization).

The maritime security industry has been taking the international standard very seriously. SAMI, as an organization that represents maritime security providers globally, has been working within the process at various levels, both nationally and internationally, ensuring that the views of PMSCs are represented and that the lessons learned through the application of the SAMI Standard and Certification program are fed into the new system.

Certification Bodies

One of the key facets of the standard is the provision of auditors to assess compliance. In keeping with usual ISO assurance processes, Certification Bodies (CB) must possess key skills including, most importantly, the capability to provide an impartial, knowledgeable observer that reviews a company's readiness for audit against the demands of the relevant standard (ensuring for example that policies, procedures, and management reviews are in place).

However, before a CB can be appointed for ISO/PAS 28007, it must attain national accreditation. In the UK, UK Accreditation Service (UKAS) is currently leading the verification of the CBs. This has led to the launch of a pilot scheme to assess not only the standard and how it is applied, but also the prospective CBs auditing against it. Currently

there are three companies engaged in this foundation process: Lloyd's Register Quality Assurance Ltd (LRQA), MSS Global and SAMI's chosen partner, RTI Forensics. The CBs that successfully complete the pilot and UKAS assessment will be accredited as approved CBs for ISO 28000 and ISO/PAS 28007. It is important to note that this is not a foregone conclusion and PMSCs must conduct their own due diligence of CBs before deciding to work with them. While the UK has taken the lead on accrediting CBs, it is so far unclear whether any other national accreditation organizations recognized by the International Accreditation Forum (IAF) are considering a similar strategy.

Pilot Scheme

In order to provide a framework for the assessment of the PMSCs and the CBs, a pilot certification program has been launched. The pilot scheme allows observers to verify that the management system and risk-based approach of PMSCs and CBs effectively meets the PAS criteria. Additionally, the PMSCs involved undergo an audit assurance process in accordance with the standard.

United Kingdom Accreditation Service (UKAS) is currently assessing the feedback from this process. Upon completion of the pilot, the prospective CBs will submit their findings and procedures for the conduct of their work to UKAS for them to assess each prospective CB and ensure equal rigour, parity of scrutiny and process without each CB losing a separate identity. It cannot be stressed enough that the pilot is as concerned with assessing the certifying bodies as the PMSCs. PMSCs that are not participating in the pilot have expressed unease about the disadvantage it might cause them, compared with the PMSCs that are undergoing the accreditation process. However, this should not be a concern as the pilot study PMSCs will only be awarded their ISO/PAS 28007 Certification when the CB itself has been accredited by UKAS. Until then, there is no way of knowing whether the PMSC accreditation certificate will ultimately be accepted. The SAMI pilot scheme has recently been launched, and four PMSCs – Bowline Defence, Control Risks Group, Securewest International and Zeal Global Maritime Solutions – are working as part of this with our certification partner RTI.

Flag State View



ISO/PAS 28007 is not expected to necessarily eliminate other national accreditation requirements, but it will hopefully reduce the extent to which ship-owners, managers and operators must conduct their own forms of due diligence. A number of flag states (including Germany, Panama, Cyprus, Belgium, Croatia, Greece, Malta, the Netherlands, Luxembourg, Italy, the UK and Japan) are anticipated to retain their own additional requirements and processes for state-specific reasons, which may indeed be more stringent than the ISO/PAS 28007 standard. However, acknowledgement and acceptance by flag states of the ISO/PAS 28007 audit by IAF accredited CBs (via their national bodies) will make the standard more meaningful.

As far as SAMI is concerned, the organization will only provide membership to PMSCs that are certified by IAF- accredited CBs.

Conclusion

The ISO process, from the CBs to the certified PMSCs is all about reassurance, trust, and respect. It is hoped in time that shipping companies will be able to save themselves significant time, effort and resources by turning to the ISO28007 as a standard which they can trust instead of feeling the need to embark on their own lengthy vetting processes. As part of this acceptance process, SAMI also urges the main shipping associations to support the UKAS lead in this process and encourage their members to only accept CBs accredited by IAF national accreditation bodies. This support is a crucial catalyst to begin the acceptance of ISO/PAS 28007 and the certification process by the shipping industry.

Endnotes

¹ SAMI is a leading global organization representing companies that work in maritime security. It connects maritime security providers, consultants and trainers with the commercial shipping industry, and is widely recognized as the leader in developing guidance, documentation, training and innovative technological solutions for the provision of armed services in the shipping industry.



This article was commissioned by the Institute for Near East and Gulf Military Analysis (INEGMA) on behalf of the third United Arab Emirates Counter Piracy Conference, **‘Countering Maritime Piracy: Continued Efforts for Regional Capacity Building’**, organized by the UAE Ministry of Foreign Affairs in partnership with global ports operator DP World and Abu Dhabi Ports Company, held in Dubai on September 11-12, 2013. The opinions expressed in this paper are the views of the author only, and do not reflect the opinions or positions of the conference organizers. Content may have been edited for formatting purposes.

