

Piracy – GOA and Indian Ocean

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Introduction

Since the beginning of 2011 more than 150 piracy attacks have been reported off the coast of Somalia and the number of vessels hijacked by pirate gangs currently stands at 21 with over 350 mariners held hostage.

While this region was known to be volatile and subject to piracy incidents for a number of years, a new political force emerged in Southern Somalia during 2006 with an apparent mandate to eradicate local pirate activity.

The Union of Islamic Courts, known as the UIC declared war on local pirates, and achieved significant success, threatening those caught with punishment under Sharia law. However, in December 2006 Ethiopian forces were involved in an interim challenge to the rule of the UIC which saw the Islamists forced into a northerly retreat leaving Mogadishu in the control of an interim government vulnerable to the influence of local militia, thought to have been associated with piracy attacks prior to 2006.

The resurgence of these local militia groups is thought to be partly responsible for the increasing frequency and severity of piracy activity.

Pirate tactics

For a number of years pirate activity was restricted to the coastal waters of Somalia and between Socotra and the Somalia mainland.

Since the introduction of the Internationally Recommended Transit Corridor (IRTC) pirates have expanded their area of operation further out into the wider Indian Ocean.

Frequency and intensity of attacks fluctuate with changing weather conditions and the proximity of naval forces.



Burum Ocean Source: (Coalition forces)

Arena or Athena: Source: (Coalition forces)

When attacks reduce in one area as a consequence of changing weather they tend to increase in another.

Operating from 'mother ships' pirates attack shipping from speedboats, armed with guns and rocket propelled grenade launchers.

A recent increase in the use of hijacked merchant vessels as mother ships has given pirates a further increase in range.



The potential consequences of not following industry Best Management Practices (BMP) can be severe. The current average period of detention for vessels hijacked is around seven months. Analysis of successful attacks indicates that the following common vulnerabilities are exploited by the pirates:

- a. Low speed
- b. Low freeboard

- c. Inadequate planning and procedures
- d. Visibly low state of alert and/or lack of evident self-protective measures
- e. Where a slow response by the ship is evident

Commonly two or more small high speed (up to 25 knots) open boats/ "skiffs" are used in attacks often approaching from the port quarter and/or stern.

Higher speed vessels (18 knots and above) should not presume to be safe from attack but speed is an effective form of defence. The use of small arms fire and Rocket Propelled Grenades (RPG) are used to intimidate Masters to reduce speed. Maintaining full sea speed in such circumstances has been shown to be effective.

The majority of attempted hijacks have been repelled by ship's crew who have planned and trained in advance of the passage and employed Ship Protection Measures (SPM's) described in the current edition of BMP to good effect.

Prevailing weather and sea state conditions also greatly influence attackers' ability to operate. It is likely to be more difficult to operate small craft effectively in sea state 3 and above.

High Risk Area

The High Risk Area is defined by where pirate activity and/or attacks have taken place. For the purpose of BMP this is an area bounded by **Suez and the Straits of Hormuz to the North, 10°S and 78°E** (Note – the UKMTO Voluntary Reporting Area is slightly larger and includes the Arabian Gulf). Attacks have taken place at all extremities of this area and extending into the Mozambique Channel.

It is important that the latest information on pirates' location is used when planning routes through the High Risk Area. Vessels should utilise information provided by NAV WARNINGS, Naval Forces, MSCHOA, the NATO SHIPPING CENTRE and the UKMTO.

It is strongly recommended that BMP be applied throughout the High Risk Area.

Organisations involved

The following paragraphs summarise the principal organisations involved.

United Nations (UN)

Following the adoption of UNSCR 1846 (2008) on 2 December, States and regional organizations cooperating with the Somali Transitional Federal Government (TFG) may for a period of twelve months, enter Somalia's territorial waters and use "all necessary means" -- such as deploying naval vessels and military aircraft, as well as seizing and disposing of boats, vessels, arms and related equipment used for piracy -- to fight piracy and armed robbery at sea off the Somali coast, in accordance with relevant international law.

States and regional organizations cooperating with Somali authorities were also requested to provide the Security Council and the Secretary-General with a progress report on their actions within nine months.

International Maritime Organisation (IMO)

The IMO has been working to combat piracy since 1983, when its Assembly passed a resolution calling on governments to take urgent measures to prevent and suppress acts of piracy in or adjacent to their waters.

To provide accurate and up-to-date statistics on the nature and extent of the problem IMO also called on its members and non-governmental organisations in consultative status, such as ICC/IMB, BIMCO and ICS, to submit details of all attacks of which they become aware.

From these reports, IMO produces monthly and annual summaries highlighting the high-risk areas.

Following a joint meeting with industry representatives in October 2008, the IMO called for sustained coordination between all naval forces operating in the area and for clear rules of engagement that would enable military assets to intervene effectively to protect shipping.

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Since that time the IMO has published revised guidance on deterring piracy attacks and issued interim guidance on the use of armed guards.

The International Maritime Bureau (IMB)

The International Maritime Bureau (IMB) is a specialised division of the International Chamber Of Commerce (ICC). It is a non-profit making organisation, established in 1981 to act as a focal point in the fight against all types of maritime crime and malpractice.

One of the IMB's principal areas of expertise is in the suppression of piracy. Concern about the alarming growth in the phenomenon led to the creation of the IMB Piracy Reporting Centre in 1992. The Centre is based in Kuala Lumpur, Malaysia. It maintains a round-the-clock watch on the world's shipping lanes, reporting pirate attacks to local law enforcement and issuing warnings about piracy hotspots to shipping.

Vessels are requested to contact the IMB Piracy Reporting Centre as part of the reporting procedures when pirate activity is suspected (see reporting procedures).

piracy@icc-ccs.org

Combined Maritime Forces

Combined Maritime Forces (CMF) operating in the Middle East region are made up of forces from approximately 25 nations and conduct Maritime Security Operations (MSO) to help make the maritime environment more secure.

CMF have designated three separate Task Forces and assigned them geographic areas of responsibility (AORs):

CTF 150 – operate in the Gulf of Aden, Gulf of Oman, Arabian Sea, Red Sea and parts of the Indian Ocean.

CTF 151 – operate in and around the Gulf of Aden, Arabian Sea and Indian Ocean.

CTF 152 – operate in the Central and Southern Arabian Gulf.

CTF 150 and 152 were created to contribute to operation Enduring Freedom and tasked with conducting anti terrorism activities, preventing smuggling, creating lawful maritime order and conducting MSO to help develop security in the maritime environment.

CTF 151 – was set up at the beginning of 2009 specifically for counter-piracy operations and will relieve CTF 150 in order that they can concentrate on the deterrence of destabilizing activities, such as drug smuggling and weapons trafficking.

The remit of CTF forces includes;

Protecting Sea Lanes of Communication - Under international maritime conventions, CMF ensure security and safety in international waters so that all commercial shipping can operate freely while transiting the region.

Visiting Vessels - CMF intercept vessels that are suspected of links to terrorist activity or maritime crime. This is intended to detect, deter and deny terrorists or criminals the illegal use of the maritime environment.

Protection of Maritime Infrastructure - CMF provide assistance with training and information sharing with allies for the protection of key maritime infrastructure in the region. This infrastructure is vital for realising much of the region's economic wealth and interference or damage to it can significantly impact upon the global economy.

Deter and Disrupt Piracy - CMF answer calls for assistance against pirates.

Assist Mariners in Distress - CMF have a longstanding tradition of helping mariners in distress by providing medical or engineering assistance and a search and rescue capability.

Interaction with Commercial Operators and the Wider Maritime Community

Approach and Assist Visits - During transit through the Gulf, ships may be approached and hailed by CMF ships. This is part of an ongoing effort to provide assistance to the maritime community and to deter illegal activity. Ships should be prepared to respond with flag and vessel registration details as well as routine information concerning cargo, port of origin and intended destination.

European Union military coordination action in support of UN Security resolution 1816 (2008) (EU NAVCO)

The main purpose of the EU coordination Cell is to support the actions of Member States that deploy military resources in theatre and to facilitate their availability and operational action.

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The Cell also coordinates the provision of support for escorts of the World Food Programme's humanitarian convoys, working in close cooperation with the different organisations present (in particular, the United Nations, the African Union, the World Food Programme (WFP), the International Maritime Organisation and shipowners' organisations).

ATALANTA Operation

EU Council Joint Action 2008/851/CFSP facilitates an EU military operation in support of Resolutions 1814 (2008), 1816 (2008), 1838 (2008) and 1846 (2008) of the United Nations Security Council. In addition to the mission contributing to the protection of WFP vessels, the ATALANTA force contributes to the protection of vulnerable merchant vessels.

Maritime Security Centre – Horn of Africa (MSCHOA)

In support of EU NAVFOR ATALANTA, EU NAVCO has launched the Maritime Security Centre – Horn of Africa (MSCHOA) to plan and coordinate EU assets in the Gulf of Aden and liaise with military forces operating in the region.

The MSCHOA website should be used as a resource for companies to obtain advice for masters and report vessel movements and incidents in an electronic format (see reporting procedures)

www.mschoa.org

UK Maritime Trade Operations

The UK Maritime Trade Operations (UKMTO) office in the Middle East acts as the first point of contact for industry liaison with CMF. The day-to-day interface between masters and the military is provided by UKMTO, who talk to the ships and liaise directly with MSCHOA and the naval commanders at sea. The UKMTO require regular updates on the position and intended movements of ships, they use this information to help the naval units maintain an accurate picture of shipping. Transit reports and notifications of attack should be made by ships' masters to the UKMTO in the Middle East as described in 'Reporting procedures'.

UKMTO@eim.ae

Maritime Liaison Office (MARLO)

The Maritime Liaison Office (MARLO) is an element of US NAVCENT based in Bahrain and exists to exchange information between the US Navy and the commercial maritime community within the NAVCENT AOR. By extension, this includes acting as a conduit for CMF information focused on the safety of shipping and supporting the commercial maritime community by publishing Advisory Bulletins to notify the community of developments in port-entry requirements and USN or CMF operations or incidents that may affect commercial maritime affairs.

www.cusnc.navy.mil/marlo/

The North Atlantic Treaty Organisation (NATO)

Following an informal meeting of NATO Defence Ministers in October 2008 the NATO Standing Naval Maritime Group was deployed to the region. Assets assist with securing the safe movement of World Food Programme vessels and also contribute to the anti-piracy measures being implemented by coalition forces.

Operation Ocean Shield is NATO's contribution to combating piracy off the Horn of Africa and is designed to complement the efforts of existing international efforts.

The NATO Shipping Centre provides a commercial link with NATO Maritime Forces and is used as the tool for communicating and coordinating with other key organisations including the maritime community.

www.shipping.nato.int

Planning

Risk assessment

Prior to transiting the High Risk Area ship operators and Masters should carry out a thorough risk assessment to assess the likelihood and consequences of piracy attacks on the ship based on the latest available information. The outcome of this risk assessment should identify measures for prevention, mitigation and recovery and will

mean combining statutory requirements with supplementary measures to combat piracy. It is important that risk assessments are ship and voyage specific. Factors to consider include crew safety, freeboard, speed and sea state.

It is strongly recommended that operators register with MSCHOA (www.MSCHOA.org) prior to entering the High Risk Area.

Operators should also ensure that a "Vessel Movement Registration Form" has been submitted to MSCHOA.

Operators should implement appropriate measures to meet the threat of piracy by adopting IMO and other industry recommended practices suitable for the circumstances of the voyage and ship type. Prior to entering the High Risk Area crew members should be thoroughly briefed and participate in a drill.

Operators and Masters should review the Ship Security Assessment (SSA) and implementation of the Ship Security Plan (SSP) as required by the International Ship and Port Facility Code (ISPS) to counter the piracy threat.

The Master should ensure that all appropriate BMP measures are in place before entering the High Risk Area. A policy defining the use of the vessel's AIS should be established taking into account an assessment of the vessel's vulnerability and BMP recommendations.

Reporting procedures

Maritime Security Centre – Horn of Africa (MSCHOA)

In order to have access to alert messages from the Maritime Security Centre, and to ensure that vessels' movements are tracked, companies must first register with the MSCHOA and complete the online 'Vessel Movement Form' in the registered users area of the MSCHOA website: www.mschoa.org. Registration requires validation and this may take up to two days to process.

Advanced notice of the passage plan is required by the naval authorities so that they can identify vulnerable vessels and plan suitable protection. The MSCHOA may ask vessels to make adjustments to passage plans to conform to MSCHOA routing advice.

The MSCHOA can be contacted on:

Tel: +44 (0) 1923 958545

Fax: +44 (0) 1923 958520

Email: postmaster@mschoa.org

UK Maritime Trade Operations (UKMTO) Middle East

The UKMTO operate the Merchant Vessel Voluntary Reporting Scheme. Ships of any flag or ownership are strongly advised to use this service when entering the reporting area between Suez to the North, 78°E and 10° South (see Anti-Piracy Planning chart Q6099).

Vessels are strongly encouraged to send the following reports;

1. Initial Report
2. Daily Report
3. Final Report (upon departure or port arrival).

See the latest BMP for report format.

For further information or to join the voluntary reporting scheme, please contact UKMTO Middle East at UKMTO@eim.ae,

Tel: +971 50 552 3215

IMB Piracy Reporting Centre (PRC)

In the event of suspected pirate activity vessels are advised to contact the UKMTO in the first instance and follow this up with a report to the IMB Piracy Reporting Centre.

IMB Piracy Reporting Centre, Kuala Lumpur, Malaysia

Tel + 60 3 2078 5763

Fax + 60 3 2078 5769

Email: imbkl@icc-ccs.org

IMB Maritime Security Hotline

In addition to the piracy reporting centre in Kuala Lumpur, IMB also operate a maritime security hotline as a confidential communication procedure that will enable seafarers and others in the shipping industry to report any suspicious information regarding maritime crime, including terrorism, to the IMB Piracy Reporting Centre.

This service is available 24 hours a day, seven days a week and is accessible from any location worldwide.

Tel: +603 2031 0014

Email: imbsecurity@icc-ccs.org.uk

Ship routing

Internationally Recognised Transit Corridor (IRTC)

All ships transiting the Gulf of Aden are strongly urged to:

- Use the IRTC transit corridor when transiting the Gulf of Aden and follow MSCHOA Group Transit advice.
- Not pass between the island of Socotra and Somalia.
- Ships should avoid entering Yemeni Territorial Waters while on transit. This is for reasons of customary international law, as it is not possible for international military forces (non Yemeni) to be able to protect ships that are attacked inside Yemeni waters.

While coalition ships have previously conducted routine operations as part of the CTF 150 presence in this region, the establishment of the Internationally Recognised Transit Corridor (IRTC) is intended to improve security in support of the International Maritime Organization's ongoing efforts for a long term solution.

The Transit Corridor provides:

- a. A straight track.
- b. A separation of east and westbound traffic, thus improving navigational safety.
- c. Passage through the centre of the GOA, keeping shipping clear of the Yemeni and Somali coasts. It is anticipated this will make it more difficult for the pirate skiffs to use the Yemeni coast to support their operations.

The Internationally Recognised Transit Corridor is contained within the latitude and longitude coordinates listed below:

12 00N 045E, 14 30N 053E

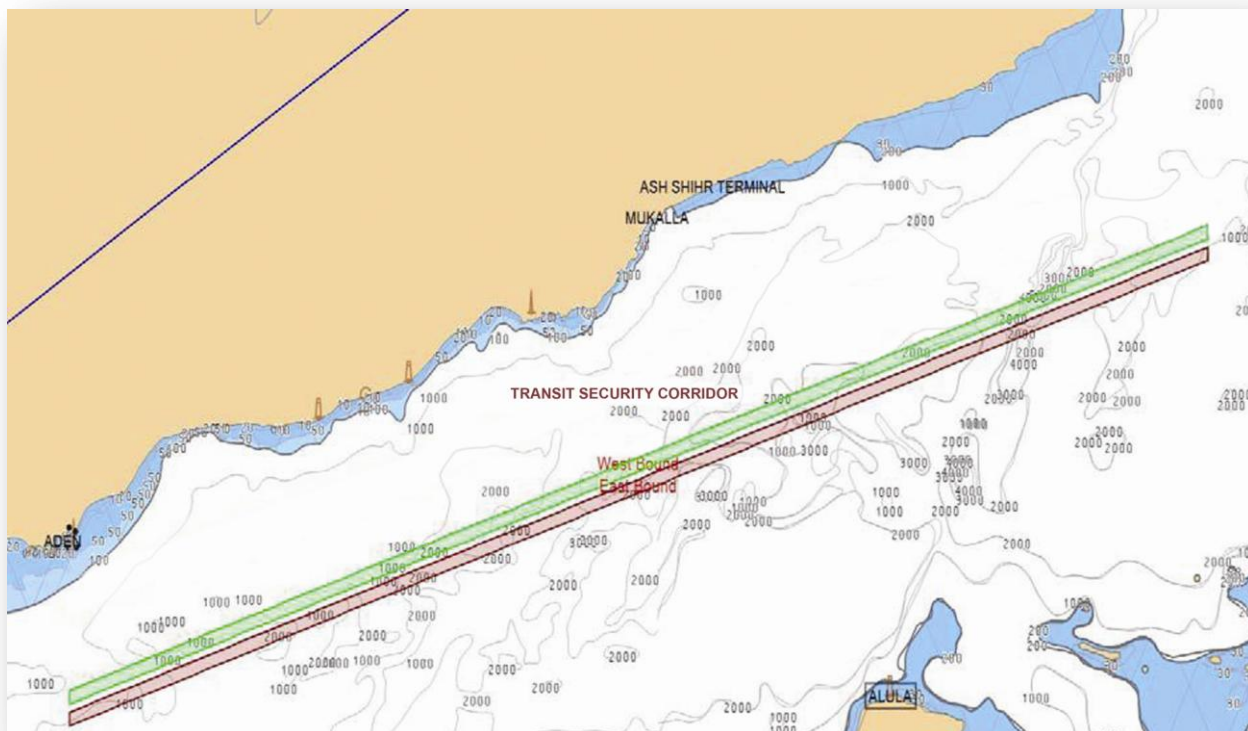
11 55N 045E, 14 25N 053E

11 53N 045E, 14 23N 053E

11 48N 045E, 14 18N 053E

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The IRTC is shown in green for westbound transits and red for eastbound transits. Westbound ships should bias themselves to the northern portion of the corridor, and eastbound ships to the southern portion.



Each lane is 5nm wide and is separated by a 2nm buffer zone. The eastbound lane begins at 045° East between 11° 48' North and 11° 53' North. The lane is oriented along a straight line course of 072° degrees and terminates at 053° East between 14° 18' North and 14° 23' North. The westbound lane begins at 053° East between 14° 25' North and 14° 30' North. The lane is oriented along a course of 252° degrees and terminates at 045° East between 11° 55' North and 12° 00' North.

Vulnerable shipping

EU NAVFOR ATALANTA will assist with the identification of merchant vessels that are especially vulnerable to a successful pirate attack so that, where possible, they may be provided with additional protection. To achieve this, companies are requested to give as much information as possible about the vessel and the intended transit as early as possible via the secure section of the MSCHOA website: www.mschoa.org

Group protection

There is significant value in ships being closely grouped for mutual protection. A steady stream of traffic through the IRTC presents a greater number of opportunities for the pirates to target vessels for hijack. Vessels grouped together, transiting key threat areas at times known by coalition forces to be least favoured by pirates, significantly increases the ability of assets to provide protection.

Gulf of Aden Group Transits

EU NAVFOR is encouraging merchant vessels to conduct their passage through the IRTC in groups based on their transit speed. Known as Gulf of Aden Group Transits (GOA GT), participating vessels should pass through the east and west extremities of the IRTC Points (Alpha 11° 50'N - 045° 00'E) and (Bravo 14° 28'N - 053° 00'E) at the times prescribed below and transit the IRTC at the published speed.

Following the Group Transit protocol will enhance mutual protection, optimise coordination of military assets in support and facilitate merchant vessels in avoiding the higher risk piracy areas during the most vulnerable time of the day. Military assets (Naval with Air support) will be strategically deployed within the area to best provide protection and support to merchant vessels.

Transit times are published on the MSCHOA website.

Group Transits are NOT convoys. Vessels should enter the IRTC at the time designated for the intended passage speed, even if this means they are, or appear to be, the only vessel in the Group Transit for that speed. Generally speaking you will not be accompanied by a warship. The Group Transit timings are designed to ensure that Warships can provide a level of protection to all vessels in the transit corridor, focusing on those areas that are known to represent the greatest risk.

Transit at the group transit speed but remain aware of the ship's limitations. (Current advice for example is that if your maximum speed is 16 knots, consider joining a 14 knot GT and keep 2 knots in reserve.)

If you do not intend to follow a GT through the corridor maintain full sea speed through the high risk area. (Current advice is that if the maximum speed of the ship is more than 18 knots, then do not slow down for a GT, maintain speed).

Masters should note that warships might not be within visual range of the ships in the Group Transit, but this does not lessen the protection afforded by the scheme.

Ships joining a Group Transit should;

- Carefully time their arrival to avoid slow speed approach to the forming up point
- Avoid waiting at the forming up point
- Note that ships are particularly vulnerable to attack if approach to forming up is conducted at slow speed.

Outside the Gulf of Aden

Ships navigating off the east coast of Somalia should consult with the MSCHOA website or UKMTO Dubai in order to obtain the most recent routeing advice.

Ships may be asked to make adjustments to passage plans to conform to MSCHOA advice.

Convoys

A number of naval forces patrolling the Gulf of Aden provide escort/convoy services to transiting vessels. Contributing nations promulgate planned convoy times and dates on secure pages of the MSCHOA website. Vessels wishing to participate are required to register with the relevant naval command. Contact details for vessel registration are posted in convoy notification messages.

Other preventative measures

The importance of maintaining a continuous 360° lookout is critical for early identification of suspicious craft and alerting coalition forces in sufficient time to intervene before pirates can board. Being able to distinguish between genuine fishing skiffs and suspicious craft can often reduce unnecessary alarm and reduce the number of false alerts. Fishing skiffs are most often 8-10 metres long and shaped with a traditional raised prow. A crew of 4/5 fish for Tuna using “long lines” and are known to pursue fish at speeds of up to 25 knots over an erratic course (not dissimilar to the type of movement you might expect from a pirate skiff), they often operate in fleets of 15 to 25 vessels during hours of daylight only.

Pirate skiffs are considered to have a more modern hull form with a straight gunwale and will attempt an attack by approaching a targeted vessel from the port quarter in anticipation that the ship’s lookout will be stationed on the starboard bridge wing.

Once close enough to board, attack skiffs position themselves on each quarter of the vessel to deter crew from carrying out evasive zig zag manoeuvres. This will often be accompanied by automatic rifle fire and RPG rocket attacks. These aggressive tactics are designed to scare the crew members into surrendering their ship, crews that have been able to continue with evasive manoeuvres during this period have reported pirates will often withdraw and seek out a more submissive vessel to pursue.

Statistics show that the vast majority of attacks take place during daylight hours. The transit corridor extends for some 480 nautical miles resulting in a passage time of almost 34.5 hours for a vessel maintaining a 14 knot ground track speed. Some part of the passage will therefore by necessity have to be conducted during daylight hours. Between Longitude 47° and 50° East is considered by some to be particularly dangerous, vessels with low freeboard and a maximum speed of less than 15 knots are considered to be most vulnerable and may wish to consider transiting this area during hours of darkness.

Provide deck lighting only as required for safety. Lighting in the shadow zones around the ship’s hull may extend the area of visibility for lookouts, but only where consistent with safe navigation (current naval advice is to transit with navigation lights only).

Joint War Committee

The Joint War Committee of the International Underwriting Association (IUA) and Lloyd’s Market Association (LMA) has published additional examples of best practice as advised by security specialist AEGIS. These recommendations included:

- A contact liaison number for use when attacked, preferably posted in the wheelhouse, so the vessel can call for help. This should form part of a standard operating procedure which should include emergency drills so the crew know how to react when confronted with a suspicious approach or an attack.
- The human eye remains the best form of initial defence and so transiting vessels should employ a 24hr standing watch and all available radars should be used and constantly monitored. Keep photographs of pirate “mother ships” on the bridge and report immediately to UKMTO and the IMB PRC if sighted (see ‘Reporting procedures’).

EU NAVFOR

- Vessels should comply with the International Rules for Prevention of Collision at Sea at all times; navigation lights should not be turned off at night. Masters should follow guidance given by the flag State authority.
- Whenever possible avoid high risk areas, or select a route away from areas of high frequency attack.
- Proceed at maximum speed with critical machinery fully operational.
- The master must establish an AIS policy. SOLAS permits the master the discretion to switch off AIS if he believes that its use increases the ship’s vulnerability. However, to provide naval forces with tracking information within the GoA it is recommended that AIS transmission is continued but restricted to ship’s identity, position, course, speed, navigational status and safety related information. Off the coast of Somalia current naval advice is to turn it off completely. This should be verified with MSCHOA.

- Taking into account manning levels, ensure that ship routines are adjusted sufficiently in advance to ensure well-rested and well-briefed crew are on watch and sufficient watch-keepers are available.
- Keep a good lookout for suspicious craft, especially from astern. Most attacks have occurred from the port quarter.
- Use light, alarm bells and crew activity to alert potential pirates that they have been detected.
- Whilst measures should be taken to prevent Pirates boarding, the safety of crew and passengers is paramount.
- Follow the procedures laid down in your Ship Security Plan and identify a safe area within your vessel (locked down accommodation / engine room).
- Endeavour to establish radio silence (VHF and UHF handsets) from 18 hours prior to entering the high risk area (except in case of emergency or for navigational reasons).
- No work should occur outside the accommodation unless essential.
- Fire pumps should be set running and hoses pressurised with water spray discharged overboard in highest risk quarters.
- Endeavour to operate at least two generators and at least two steering motors.
- Man the Engine Room.
- Check all ladders and outboard equipment are stowed or up on deck. If the ship has a comparatively low freeboard, consider the possibility of extending the width of the gunwales to prevent grappling hooks from gaining hold.
- Consider the use of dummies at the rails to simulate additional lookouts. However, if ship design creates lookout black spots and the security assessment identifies this risk then it may have to be covered by manpower.
- In case of emergency coalition warships can be contacted on VHF Ch.16. Backup Ch.08.

Additional measures

The following additional measures are commercially available to increase a vessels self protection. Their effectiveness and reliability cannot be confirmed and their use remains the decision of individual ship owners/operators.

- Barbed wire/physical barriers around stern / lowest points of access.
- Use of physical barriers to protect the bridge watchkeepers (Kevlar / sandbags or equivalent).
- Electrified fencing (not recommended for oil tankers or gas carriers).
- High intensity lighting.
- LRAD (Long Range Acoustic Device).
- Consider issuing night vision optics

Unarmed Private Maritime Security Contractors

The use of private security firms can also be considered and is a matter for individual ship operators following their own risk assessment. The use of experienced and competent unarmed Private Maritime Security Contractors can be a valuable addition to BMP.

Armed Private Maritime Security Contractors

Subject to risk analysis, careful planning and agreements the provision of Military Vessel Protection Detachments (VPDs) deployed to protect vulnerable shipping is the recommended option when considering armed guards.

The use, or not, of armed Private Maritime Security Contractors onboard merchant vessels is a matter for individual ship operators to decide following their own voyage risk assessment and approval of respective Flag States. If armed Private Maritime Security Contractors are to be used they must be as an additional layer of protection and not as an alternative to BMP.

If armed Private Maritime Security Contractors are present on board a merchant vessel, this fact should be included in reports to UKMTO and MSCHOA.

The IMO has produced guidance in the form of MSC Circular MSC.1/Circ.1405 for ship operators and masters on the use of armed Private Maritime Security Contractors in the High Risk Area. This circular can be located on the MSCHOA website www.mschoa.org.

In the event of an attack

Approach stage

Increase to maximum speed and steer a straight course.

Follow contingency plan.

Activate the Emergency Communication Plan, call in order of priority:

The UK Maritime Trade Operations (UKMTO) Middle East.

The Maritime Security Centre Horn of Africa (MSCHOA).

The International Maritime Bureau (IMB).

Activate the Ship Security Alert System (SAAS), which will alert your Company Security Officer.

If the Master has exercised his right to turn off the Automatic Identification System (AIS) during transit of the piracy area, this should be turned on once the ship comes under pirate attack.

Sound emergency alarm and make a PA announcement 'Pirate attack'.

Make a 'Mayday' call on VHF Ch 16 and Ch 8 (monitored by military vessels).

Send a distress message via the DSC (Digital Selective Calling) system and Inmarsat-C as applicable.

Muster all crew in a defined safe area or Citadel if constructed.

Where possible, alter course away from the approaching skiffs, and/or Mother ships. When sea conditions allow, consider altering course to increase an approaching skiff/s exposure to wind/waves.

Activate water spray and other appropriate self-defensive measures.

Ensure that all external doors and, where possible, internal public rooms and cabins, are fully secured.

In addition to the emergency alarms and announcements for the benefit of the vessels crew sound the ships whistle / foghorn continuously to demonstrate to any potential attacker that the ship is aware of the attack and is reacting to it.

Attack stage

Reconfirm that all ships personnel are in a position of safety.

As the pirates close on the vessel, Masters should commence small alterations of helm whilst maintaining speed to deter Skiffs from lying alongside the vessel in preparation for a boarding attempt. These manoeuvres will create additional wash to impede the operation of the skiffs.

Substantial amounts of helm are not recommended, as these are likely to significantly reduce a vessel's speed.

Once pirates are on board

Before pirates gain access to the Bridge the crew should inform UKMTO. Ensure that the SSAS has been activated, and ensure the AIS is switched on. The master will have to ensure that the tension on board is diffused; this could be done by cooperating fully with the hijackers and offering no resistance.

The safety of crew, ship, cargo and environment should be of paramount importance to the master.

If the bridge/engine room is to be evacuated, then the main engine should be stopped, all way taken off if possible and the ship navigated clear of other ships.

Piracy

The crew should be instructed not to confront the pirates at any time. They should remain calm and co-operate fully with the pirates.

Ensure all crew, other than bridge team, stay together in one location, and keep crew moral high at all times.

If in a locked down safe area, ensure internal protection/cover is available in case the pirates attempt to force entry. Keep clear of entry point/doors and portholes/windows – do not resist entry.

As far as possible regular meal patterns, personnel hygiene and regular exercise should be maintained to remain alert, fit and calm under the stressful conditions.

It is quite possible that the pirates who hijacked the ship do not stay and guard the ship while at anchor.

Guards will probably rotate, it is therefore important to be friendly and cooperative to all.

The crew should be thoroughly briefed as to what is expected of them in the unfortunate event of being hijacked.

From experience, pirates generally use the English language in their communications and demands although not all speak the language fluently. In previous cases, the pirates have "employed" third-party, non-pirate fluent English speakers from ashore to conduct negotiations under the direction of the pirate-leader.

In the Gulf of Aden some of the pirates are known to use the stimulant drug "khat" (spellings vary). This may make initial attempts at cooperation difficult if the pirate is in the drugged, euphoric state, although some of the other crew members may not be users of the drug.

Identification of pirates from the legitimate local fishermen is not easy.

Action in the event of military response

In the possible event of military action being taken upon a merchant vessel during a piracy incident, seafarers are advised to keep low to the deck, cover their heads with their hands (always ensure hands are visible and not holding anything) and make no sudden movements unless directed by friendly forces.

- Be prepared to answer questions on your identity and status onboard.
- Crew should be advised NOT to use cameras with flash at any time when any military action is underway.
- Be aware that English is not the working language of all naval units in the region.

Insurance considerations

The International Group of P&I Clubs (IG) has produced a FAQ document to provide general clarification and guidance on a number of matters concerning insurance cover issues arising out of piracy incidents.

Topics covered include;

- The definition of Piracy.
- An overview of the scope of cover provided by P&I, H&M, and War Risks insurance.
- The use of Guards.
- Best Management Practices (BMP).
- General Average.

Ransom payments may be funded by K&R (Kidnap and Ransom) insurers if this cover is in place and may also be covered by war or property insurers (H&M/Cargo).

[Click here](#) for IG FAQs document.

Charter party and bill of lading obligations

Members' legal position under their charter parties and/or bills of lading will be dependent on the terms of the relevant charterparty/bill of lading (as applicable), the factual circumstances applicable when the contract is/was concluded and the factual position when any dispute arises. As such, Members who have concerns about their

rights and obligations under current or imminent contracts should contact the Association for advice.

Piracy Clauses for Charter parties

Intertanko, has published standard clauses covering both time and voyage charter parties.

BIMCO has published three piracy clauses for time charter parties, single voyage charter parties and consecutive voyage charter parties/contracts of affreightment.

The time charter party version of the piracy clause has been revised in response to industry comments that the responsibilities and liabilities of the parties, in the event of the seizure of a vessel by pirates, were perceived as being imbalanced. The two new clauses provide contractual solutions for short term spot fixtures where the cost and risk remain with the owners, and also for longer term consecutive voyages and COAs where risk and cost is shared between the owners and the charterers.

A copy of clauses can be download from the members area of the [BIMCO](#) website and North's industry news article: [Piracy clauses for charter parties](#).

If considering the use of any of these clauses for new fixtures Members should first contact a member of the Association's FD&D department to discuss the details of their situation.

Post Incident Reporting

Following any piracy attack or suspicious activity, it is important that a report is sent to UKMTO and MSCHOA. A copy should also be sent to the IMB. Details should include descriptions of suspicious vessels.

Please refer to the latest edition of BMP for report formats.

Prosecution of Pirates

Law enforcement authorities increasingly conduct crew debriefs to collect evidence after a vessel has been released. High quality evidence provided by the crew can significantly help further investigation and/or persecution.

INTERPOL provide support for ship operators who have had their ship hijacked by pirates. A Maritime Task Force can assist with preserving the integrity of evidence left behind on board. Operators are advised to contact INTERPOL within three days of a hijacking taking place.

www.interpol.int/

Further Information

United Nations Security Council Resolution UNSCR 1816 (2008)

United Nations Security Council Resolution UNSCR 1838 (2008)

United Nations Security Council Resolution UNSCR 1846 (2008)

EU Council Joint Action 2008/851/CFSP (10/11/08)

Joint War Committee Circular – Defensive measures for vessels

IMB website: www.icc-ccs.org/prc

MSCHOA website: www.mschoa.org

UKMTO e-mail: ukmto@eim.ae

NATO website: <http://www.shipping.nato.int/>

OCIMF: [Practical Measure to Avoid Deter or Delay Piracy Attacks](#)

Documents released by the IMO related to acts of piracy

Convention and Protocol for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988

MSC.1/Circ.1332 - Piracy and Armed Robbery Against Ships In Waters Off The Coast Of Somalia

MSC.1/Circ.1333 - Piracy and Armed Robbery Against Ships (Recommendations to Governments)

MSC.1/Circ.1334 - Piracy and Armed Robbery Against Ships (Guidance to shipowners and ship operators)

MSC.1/Circ.1337 - Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area developed by the industry

MSC.1/Circ.1390 - Guidance for Company Security Officers (CSOs) – Preparation of a Company and Crew for the Contingency of Hijack by Pirates in the Western Indian Ocean and the Gulf of Aden

MSC.1/Circ.1405 - Interim Guidance to Shipowners, Ship Operators, and Shipmasters on the Use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area

MSC.1/Circ.1406 - Interim Recommendations for Flag States Regarding the Use of Privately Contracted Armed Security Personnel on Board Ships in the High Risk Area

Resolution A.1025(26) - Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery Against Ships

Resolution A.1026(26) - Piracy and Armed Robbery Against Ships in Waters off the Coast of Somalia

Appendix 1 - Best Management Practice 4 - Piracy off the Coast of Somalia and Arabian Sea Area

BMP4 has been produced by the shipping industry in consultation with EUNAVFOR, the NATO Shipping Centre and UKMTO.

Industry's focus when revising Best Management Practice has been on targeting the document at Seafarers. With this in mind the document has been produced as a pocket-sized booklet, in a new and clearer format, which includes illustrations and a small chart of the region.

Updates to BMP4 include the expansion of on the High Risk Area beyond just the Gulf of Aden, to an area bounded by Suez to the North, 10° South and 78° East. This wider application of the BMP is essential to help counter the geographical spread of the threat from Somali-based piracy.

BMP4 contains further advice on Ship Protection Measures, a copy of the UKMTO Vessel Position Reporting Form, and Fishing Industry guidance. BMP4 encourages post-incident reporting to MSCHOA and UKMTO and additionally to the relevant Flag State.

A copy of the updated 'Best Management Practices to Deter Piracy in the Gulf of Aden and off the Coast of Somalia' can be downloaded from the Associations' website:

[BMP4](#).

