



Circular

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TO: Relevant departments of Headquarters; Branches and Offices; Ship owners&operators

Notice of implementation of MN NO.2-011-31, Rev. 4/10

----- Piracy, Armed Attacks, Hijacking or Terrorism: Reporting Incidents, Ship Security Plans and Best Management Practices.

The Marine Notice (NO.2-011-31, Rev. 4/10) supersedes Rev 11/09 and reflects clarifications on how a Ship Security Plan (SSP) should be amended to address piracy and when it must be submitted for approval (see sections 1.0 and 2.0 of this Notice below) and the capabilities of the Ship Security Reporting System (SSRS). Above references (b) and (d) have been updated and references (e), (g) and (h) have been added. Changes include an update of the text in accordance with the 2nd edition of the BMP. Also, a revised form MI-109-2 is contained in Appendix III. The form incorporates the reporting requirements of Marine Notice 6-036-2, which has been revoked.

Attached herewith is the Marine Notice (NO.2-011-31, Rev. 4/10) which should be followed by owners, operators, and Masters of Marshall Islands flag ships and CCS auditors.

SUMMARY

This Notice requires SSPs pursuant to the International Ship and Port Facility Security (ISPS) Code to include security measures to protect against incidents of piracy, armed attacks (including armed robbery), hijacking or terrorism that at a minimum meet internationally accepted Best Management Practices (BMP) and Republic of the Marshall Islands (MI) requirements. It also requires the reporting of all such incidents to the Republic of the Marshall Islands Maritime Administrator (the "Administrator") and authorities. The Administrator strongly endorses and recommends that ships subscribe to SSRS.

ACTION REQUESTED

All the CCS Branches and Offices are required to organize the study and training of this circular, and forward this circular to relevant companies. The company should be reminded to comply with the requirements of the Marine Notice (NO.2-011-31, Rev. 4/10).

This Circular supersedes CCS Circular “Safety Management Certification Dept.(2009) Circ. No.017, Tot. No.173”

Attachment: 1. No. 2-011-31 Marine Notice, 25 pages.

For any problem please contact the Certification Management Dept. of CCS Headquarters without hesitation
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**REPUBLIC OF
THE MARSHALL ISLANDS**

**OFFICE OF THE
MARITIME ADMINISTRATOR**

Marine Notice

No. 2-011-31

Rev. 4/10

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

**SUBJECT: Piracy, Armed Attacks, Hijacking or Terrorism: Reporting Incidents, Ship
Security Plans and Best Management Practices.**

- References:**
- (a) International Ship and Port Facility Security (ISPS) Code (MI Marine Notice 2-011-16)**
 - (b) Best Management Practices to Deter Piracy in the Gulf of Aden and Off the Coast of Somalia, Version 2-21 (Maritime International Secretariat Services Limited (MARISEC), August 2009)**
 - (c) Piracy – The East Africa/Somalia Situation – Practical Measures to Avoid, Deter or Delay Piracy Attacks (Oil Companies International Marine Forum (OCIMF), 2009)**
 - (d) International Maritime Organization (IMO) MSC.1/Circ.1334, dated 23 June 2009**
 - (e) IMO Resolution A.683(17), dated 6 November 1991**
 - (f) Revised Gulf of Aden Transit Corridor – 1 February 2009 (MI Marine Safety Advisory #2-09)**
 - (g) MSC/Circ. 805, dated 6 June 1997**
 - (h) EU NAVFOR/NATO, CMF WARNING, dated 13 November 2009**

PURPOSE:

This Notice supersedes Rev 11/09 and reflects clarifications on how a Ship Security Plan (SSP) should be amended to address piracy and when it must be submitted for approval (see sections 1.0 and 2.0 of this Notice below) and the capabilities of the Ship Security Reporting System (SSRS). Above references (b) and (d) have been updated and references (e), (g) and (h) have been added. Changes include an update of the text in accordance with the 2nd edition of the BMP. Also, a revised form MI-109-2 is contained in Appendix III. The form incorporates the reporting requirements of Marine Notice 6-036-2, which has been revoked.

This Notice requires SSPs pursuant to the International Ship and Port Facility Security (ISPS) Code to include security measures to protect against incidents of piracy¹, armed attacks (including

¹ "Piracy," as contained in Article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and as amended consistent with the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP Agreement), consists of any of the following acts:

- (a) 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:

armed robbery²), hijacking or terrorism that at a minimum meet internationally accepted Best Management Practices (BMP) and Republic of the Marshall Islands (MI) requirements as outlined below. It also requires the reporting of all such incidents to the Republic of the Marshall Islands Maritime Administrator (the “Administrator”) and authorities.

The Administrator strongly endorses and recommends that ships subscribe to SSRS. This system provides a real-time link between ship operations and naval operations by enhancing the counter-piracy effectiveness of the existing Ship Security Alert System (SSAS) (see section 2.2 of this Notice below).

As clarification, Appendix I of this Notice contains the contact numbers in order of priority that should be called by a vessel under attack. It is also important to note that the coordinates for which ships should begin their position reporting have changed due to the expanded area of operations of pirates in the Indian Ocean.

APPLICABILITY:

SSP and BMP Requirements

In addition to adhering to the Reporting Requirements, the following MI flagged vessels that are subject to the ISPS Code and operate in High Risk Areas must comply with the SSP and BMP provisions of this Notice:

- Passenger ships, including high-speed passenger craft;
- Cargo ships, including high-speed craft, of 500 gross tonnage (ITC 69) and upwards;
- Special Purpose Ships of 500 gross tonnage; and
- Self-propelled mobile offshore drilling units capable of making international voyages unassisted and unescorted when underway and not on location.

“High Risk Areas” are “areas of the ocean where attacks of terrorism, piracy or armed robbery have taken place.” It should be noted that although the Gulf of Aden (GoA) and Horn of Africa are currently considered High Risk Areas due to intense pirate activity in these regions, there are other areas to which this definition may apply. Also, an area defined as High Risk may change over time due to changes in tactics and areas of operations of the perpetrators.

Reporting Requirements

All ships under the MI flag must comply with all reporting requirements.

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- 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;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; or
- (c) any act inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

² “Armed robbery” against ships means any of the following acts:

- .1 any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State’s internal waters, archipelagic waters and territorial sea;
- .2 any act of inciting or of intentionally facilitating an act described above.

OVERVIEW:

The Administrator recognizes that an essential part of preventing, deterring and suppressing attacks is prompt reporting to the proper authorities and organizations both during and post-incident. As a result, not only must reporting be addressed by Companies and ships as part of their BMP in accordance with IMO Resolution A.683(17), Prevention and Suppression of Piracy and Armed Robbery Against Ships, the Administrator is required to report in detail all incidents of piracy and armed robbery of its vessels to the IMO.

The Administrator understands that self protection measures taken by vessels to avoid, deter or delay piracy attacks are an essential part of compliance with the ISPS Code. The Administrator recognizes that it must ensure, when carrying out its obligations under the ISPS Code, that vessels in the Registry have adopted appropriate self-protection measures as part of ISPS Code compliance.

In an effort to counter piracy in the GoA, the Somali Basin and Indian Ocean industry has developed and prepared BMP Guidelines which are supported and endorsed by the Administrator through the New York Declaration. The BMP Guidelines aim to assist Companies and ships in avoiding piracy attacks and complements guidance provided in IMO's MSC.1/Circ.1334 (Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships).

REQUIREMENTS:

1.0 SSP

MI shipowners and operators with vessels identified in the above section on APPLICABILITY must, along with the Master, carry out a risk assessment of their vessel(s) to determine the likelihood and consequences of a piracy attack and identify and incorporate prevention, mitigation and recovery measures in their SSPs, taking into consideration the guidance contained in MSC.1/Circ.1334, along with the BMP Guidelines and additional Administrator-specific measures, including those pertaining to radio and distress messages, contained in Annex A of this Notice, each as may be updated or amended.

Incorporation of relevant provisions on piracy into SSPs is required immediately, but need not be verified and approved until the next scheduled ISM/ ISPS Code Audit. As outlined in §10.3.3 of Marshall Islands Marine Notice 2-011-16, the provisions can be included as an Annex to the SSP to facilitate the anticipated updates to the BMPs.

2.0 Initial Notification and Reporting

- 2.1 Ships must participate in the pre-transit notification requirements outlined in section 2a.iv of the Recommended BMPs (see Annex A of this Notice). Refer also to Appendix I, of this Notice, for all contact details of the military. All ships transiting GoA, the Somali Basin and Indian Ocean are being tracked by LRIT. The shipowners of those ships found not to be participating will be contacted by the Administrator and reminded to bring their ship into compliance.

2.2 SSRS

- .1 Shipowners are strongly recommended to subscribe to the SSRS because it provides a real-time link between ship operations and naval operations by enhancing the counter-piracy effectiveness of the existing SSAS.
 - .2 The SSRS is provided through a commercial service that continuously monitors SSAS alerts and position reports; and dependent upon the location of the report, routes the information in real time to participating Naval Operations Centres. Shipowners receive a notification email confirming that security alert / position report information is being routed to a Naval Operations Centre.
 - .3 The SSRS enables a rapid, coordinated response to a security alert by automating alert transmissions and connecting ships directly to Task Forces (via the relevant Naval Operations Centres). It minimizes communication delays between the stakeholders. Naval forces are provided with immediate knowledge of the location of a piracy attack, pre/post attack ship positional information, and relevant ship-specific information such as freeboard, speed and communication terminal details.
 - .4 Should crew members be under immediate duress, the SSRS offers a covert method of automatically alerting Naval forces and is particularly effective in triggering a speedy response when used in conjunction with a telephone call to UKMTO. Note that once activated, it will automatically continue to report to the military authorities.
 - .5 Be prepared to immediately verify SSRS activation with the UKMTO.
 - .6 The SSRS service can be accessed from the commercial website: <https://ssrs.org>.
- 2.3 If attacked by pirates, or there is a **clear and imminent threat of danger**, a ship should immediately activate its SSAS. This will alert the Company Security Officer (CSO) and the Administrator. Additionally, if the ship is subscribed to SSRS, it will also directly alert naval forces.

3.0 **Follow-up Reporting**

Masters, owners or operators must immediately (within 24 hours) report by fax or email the occurrence of all incidents of piracy and armed robbery, armed attacks, attempted or actual hijacking or terrorism on their merchant vessels to:

Republic of the Marshall Islands Maritime Administrator
c/o Investigations

11495 Commerce Park Drive
Reston, Virginia 20191-1506 USA
Fax: +1-703-476-8522

Email: investigations@register-iri.com
dutyofficer@register-iri.com

- 3.1 The report should be submitted to the Administrator on form MI-109-2, Report of Piracy and Armed Robbery Against Ships, contained in Appendix III of this Notice. This form also may be used for submissions to the international organizations (e.g., MSCHOA, UKMTTO, MARLO, IMB and IMO).
- 3.2 Reports received by the Administrator will be transmitted to:
- National Geospatial-Intelligence Agency (NGA), Bethesda, MD, USA;
 - IMO, Maritime Safety Department, London;
 - International Maritime Bureau (IMB), Essex, UK; and
 - The International Shipping Federation, London.
- 3.3 Refer to Appendix I of this Notice for all contact details of the military and IMB.

ANNEX A

This Annex is a consolidation of industry Best Management Practices (BMP) and additional guidance provided by the Administrator as referenced on the first page of this Notice.

BMP TO DETER PIRACY IN THE GULF OF ADEN AND OFF THE COAST OF SOMALIA (AUGUST 2009)

In an effort to counter piracy in the Gulf of Aden (GoA) and off the Coast of Somalia, these BMP are supported by the following international industry representatives, which represent the vast majority of shipowners and operators transiting the region:

- Oil Companies International Marine Forum (OCIMF)
- Baltic and International Maritime Council (BIMCO)
- International Chamber of Shipping (ICS)
- International Association of Independent Tanker Owners (INTERTANKO)
- Society of International Gas Tanker and Terminal Operators (SIGTTO)
- International Association of Dry Cargo Ship Owners (INTERCARGO)
- International Group of Protection and Indemnity Clubs (IGP&I)
- Cruise Lines International Association (CLIA)
- International Union of Marine Insurers (IUMI)
- Joint War Committee (JWC) and Joint Hull Committee (JHC)
- International Maritime Bureau (IMB)
- International Transport Workers Federation (ITF)

These BMP are also supported by:

- UK Maritime Trade Organization (UKMTO Dubai)
- Maritime Security Centre Horn of Africa (MSCHOA)
- Maritime Liaison Office (MARLO)
- United Nations Contact Group on Piracy off the Coast of Somalia (UNCGPCS)

UPDATING BMP

1. It is anticipated that these BMP will be periodically updated based upon operational experience and lessons learned. The parties to this document will endeavor to meet regularly to update these BMP and to circulate revisions to their respective members and other interested organizations. This notice incorporates revisions made in the 2nd edition of the BMP.
2. If in doubt, consult the Maritime Security Centre Horn of Africa (MSCHOA) website (www.mschoa.org), “Advice to Masters” section where additional relevant information (e.g., counter-piracy information, including areas of High Risk, coordinates of the Internationally Recommended Transit Corridor and transit speed for GoA Group Transit) will always be posted and available for unrestricted download (PDF format). Please note that this may not be endorsed by all of the above listed organizations.
3. The BMP Guidelines also can be found on the “Piracy Alert” section of www.icc-ccs.org and on the “Home Page” of www.marisec.org.
4. The UK Maritime Operations piracy website (www.noonsite.com/General/Piracy) is another good source of counter-piracy information.
5. The National Geospatial Agency (NGA) is a United States Department of Defense combat support agency that maintains a website (<http://www.nga.mil/portal/site/maritime>) providing global maritime geospatial intelligence. Owners, operators and Masters are encouraged to take advantage of the information on the site which includes Anti-Shipping Activity Messages (locations and descriptive accounts of specific hostile acts), Office of Naval Intelligence (ONI) Worldwide Threat to Shipping Reports (summary of recent piracy acts and hostile actions), and Broadcast Warnings (persons in distress, or objects and events that pose an immediate hazard to navigation).

SUGGESTED PLANNING AND OPERATIONAL PRACTICES FOR OWNERS, OPERATORS, MANAGERS AND MASTERS OF SHIPS TRANSITING THE GULF OF ADEN (GoA) AND OFF THE COAST OF SOMALIA

TYPICAL ATTACK PROFILES AND LESSONS LEARNED

1. During 2008, and the first half of 2009, significantly increased pirate attacks on merchant ships occurred throughout the GoA, off the Coast of Somalia and within the wider North West Indian Ocean. The majority were clustered around the northern side of the GoA, but now attacks are occurring further off the east Coast of Somalia in the Indian Ocean around the Seychelles.
2. Analysis of successful attacks indicates that the following common vulnerabilities are exploited by the pirates:
 - Low speed;
 - Low freeboard;
 - Inadequate planning and procedures;
 - Visibly low state of alert and/or evident self protective measures; and
 - Where a slow response by the ship is evident.
3. Commonly, two (2) 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. Some attackers are very persistent and continue their attacks for as much as two to three hours before giving up.
4. The use of a pirate “mother ship,” which is a larger ship carrying personnel, equipment, supplies and smaller assault craft, has enabled the attacks to be successfully undertaken at a greater range from the shore.
5. Vigilance should be highest at first light and last light, as the majority of the attacks have taken place during these periods.
6. Higher speed vessels (15 knots and above) should not presume to be safe from attack, but speed is an effective form of defense. The use of small arms fire, Rocket Propelled Grenades (RPG), in an effort to intimidate masters of vessels to reduce speed, has occurred within the area. Maintaining full sea speed in such circumstances has been shown to be effective.
7. The majority of attempted hijacks have been repelled by ship’s crew who have planned and trained in advance of the passage and employed passive countermeasures to good effect.
8. Prevailing weather and sea state conditions also greatly influence attackers’ ability to operate. Wind strengths in excess of 18 knots and wave heights above two (2) meters are considered sufficient to provide protection for all but the most vulnerable vessels, particularly where Masters are taking full account of BMP.

RECOMMENDED BMP

1. Introduction

- a. While recognizing the absolute discretion of the Master at all times to adopt appropriate measures to avoid, deter or delay piracy attacks in this region, this checklist of best practices is provided for shipowners and ship operators, Masters and their crews.
- b. Not all may be applicable for each ship. Therefore, as part of the risk analysis an assessment is recommended to determine which BMP will be most suitable for the ship. The following have, however, generally proved effective:

2. Prior to Transit – General Planning

- a. General
 - i. The following authorities have roles in combating piracy and other attacks against merchant shipping. The contact information for reporting to and coordinating with these entities is found in Appendix 1 in addition to being contained in the body of this document.
 - MSCHOA is the planning and coordination authority for EU Forces in the GoA and the area off the Coast of Somalia. It was established by the European Union (EU) as part of a European Security and Defense Policy initiative to combat piracy in the Horn of Africa. This work commenced with the establishment of EU NAVCO in September 2008. This Coordination Cell working in Brussels established links with a broad cross-section of the maritime community and provided coordination with EU forces operating in the region. In November 2008, the Council of European Union took a major step further by setting up a naval mission EU NAVFOR ATALANTA (EU NAVFOR) to improve maritime security off the Somali Coast by preventing and deterring pirate attacks and by helping to safeguard merchant shipping in the region. Ships should be registered with MSCHOA before entering the high risk area.
 - UKMTO Dubai is the first point of contact for ships in the region. UKMTO Dubai administers a Voluntary Reporting Scheme, under which merchant ships are encouraged to send regular updates on their position and intended movements. As such, UKMTO Dubai provides the day-to-day interface between Masters and the military by talking to the ships and liaising directly with MSCHOA and the naval commanders at sea. UKMTO uses the emerging and relevant information from the commercial sector to help the naval units maintain an accurate picture of shipping, thereby improving responsiveness to any incident.
 - MARLO operates as a conduit for information exchange between the Combined Maritime Forces (CMF) and the commercial shipping community within the region.
 - IMB is a specialized division of the International Chamber of Commerce (ICC) whose principal area of expertise is in the suppression of piracy through its Piracy

Reporting Centre (PRC) in Kuala Lumpur, Malaysia. It maintains a 24/7 watch system reporting pirate attacks in this area to the CMF and issuing warnings about hotspots. It also offers valuable advice as to what to do when pirates actually succeed in getting aboard.

- ii. Prior to transiting the high risk area, the owner and Master should carry out their own risk assessment to assess the likelihood and consequences of piracy attacks on the ship, based on the latest available information. Owners are highly recommended to utilize the Automated Voyage Risk Assessment (AVRA) services being offered by BIMCO which will generate an ISPS Code compliant specific threat assessment for the individual ship concerned. 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.
 - iii. Company crisis management procedures should consider appropriate measures to meet the threat of piracy by adopting IMO and other industry recommended practices as appropriate to the particular circumstances and ship type.
 - iv. When ships are navigating within the Red Sea and area bound by 18°N, 78°E and 10°S, advanced notice of the passage plan is required by the naval authorities so that they can identify vulnerabilities and plan suitable protection. This is achieved primarily by making an:
 - Initial report to UKMTO Dubai (email or fax);
 - Initial report to MARLO (email or fax); and
 - Additionally, if planning to transit the GoA, or navigate within the area bound by the Red Sea, 18°N, 60°E and 10°S, registering the vessel movement with MSCHOA (either online or by email or fax).
 - v. While measures should be taken to prevent pirates boarding, the safety of crew and passengers is paramount.
- b. Company Planning:
- i. It is strongly recommended that managers and/or the operations department register their ships and passage plan prior to transit of the Internationally Recommended Transit Corridor (IRTC) with MSCHOA (<http://www.mschoa.org>). User I.D. and Password are required which may be applied for through the website.
 - ii. 4 to 5 days before the vessel enters the IRTC from the Red Sea, or area bound by 12°N, 78°E and 10°S, ensure that a “Vessel Movement Registration” submission has been logged with MSCHOA (online, email or fax). This can be done by either the ship or the Company.
 - iii. Review the Ship Security Assessment (SSA) and implementation of the SSP as required by the ISPS Code to counter the piracy threat.

- iv. The Company Security Officer (CSO) is encouraged to see that a contingency plan for the high risk passage is in place, exercised, briefed and discussed with the Master and the Ship Security Officer (SSO).
 - v. Be aware of the particular high risk sea areas that have been promulgated.
 - vi. Offer the ship's Master guidance with regard to the preferred and available methods of transiting the region (Group Transit, Escorted Group Transit, National Convoy, etc.).
 - vii. Carry out crew training prior to passage.
 - viii. The use of additional private security guards is at the discretion of the Company but the use of armed guards is not recommended.
 - ix. Consider additional resources to enhance watch keeping numbers.
 - x. Consider the outfitting of ships with non-lethal Self Protection Measures (SPMs) prior to transiting high risk areas.
- c. Ship's Master Planning:
- i. 4 to 5 days before entering the IRTC from the Red Sea, or the area within 12°N, 78°E and 10°S, ensure that a "Vessel Movement Registration" submission has been logged with MSCHOA (online, email or fax). NOTE: This can be done by either the ship or the Company. If it is completed by the Company, Masters should satisfy themselves with their companies that their details are correctly registered with MSCHOA.
 - ii. Once the ship's passage is registered with MSCHOA, Masters are advised to update their position and intended movements with UKMTO during the planning phase, preferably 3 to 4 days before entering either the GoA or passing the Coast of Somalia. The reporting scheme covers the Suez area, Red Sea, Indian Ocean north of 10°S and west of 78°E as well as the Arabian Gulf.

Ships may initially report to the UKMTO team on passing the following reference points:

- Suez for ships entering or leaving the region via the Red Sea;
- 10°S for ships entering or leaving the region via the Indian Ocean (South);
- 78°E for ships entering or leaving the region via the Indian Ocean (East).

See Anti-Piracy Planning Chart Q6099 (see Appendix IV of this Notice).

The initial report should contain the following:

- Ship Name
- Call Sign
- Flag

- IMO Number
- Maritime Mobile Service Identity
- Inmarsat telephone number including satellite prefix
- Email address, Telex and Fax number
- Ship Management Company
- Type of Ship
- Current position and speed
- Itinerary in the region with route way points and destination port(s)

Ships should continue to report their noon positions and speed, actual departure times and estimated arrival times at ports and destination when outbound from the defined area using UTC. The preferred method of communication is email to ukmto@eim.ae. When sending such emails, please copy maritime@register-iri.com, and IMBKL@icc-ccs.org, as well. The UKMTO may also be reached by Phone: +971-50-552-3215 or +971-50-552-6007; Fax: +971-4-306-5710; and Telex: (51) 210473.

- ii. As an additional precautionary measure, Masters of vessels are advised to provide passage information to MARLO 48 hours prior to transiting through the GoA via email to marlo.bahrain@me.navy.mil, or telephone +973-1785-1395.
- iii. Prior to transit of the region it is recommended that the crew should be thoroughly briefed.
- iv. The anti-piracy contingency plan has been shown to be most effective when implemented in advance; a drill is conducted prior to arrival in the area, the plan reviewed and all personnel briefed on their duties, including familiarity with the alarm signal signifying a piracy attack.
- v. Masters are advised to also prepare an emergency communication plan, to include all essential emergency contact numbers and pre-prepared messages, which should be ready at hand or permanently displayed near the communications panel (e.g., telephone numbers of UKMTO, MSCHOA, MARLO, IMB PRC, CSO, etc.).
- vi. Define the ship's AIS policy: SOLAS permits the Master the discretion to switch off AIS if he believes that its use increases the ship's vulnerability. However, in order 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 the decision is again left to the Master's discretion, but current naval advice is to turn it off completely. This should be verified with MSCHOA.

3. Prior to Transit – Voyage Planning

- a. Masters having registered their ship with MSCHOA should report (noon position, course, speed, estimated and actual arrival times) to UKMTO and MARLO before entering the GoA or passing the Coast of Somalia.

- b. Vessels are also encouraged to increase the frequency of such reports when navigating in known high risk/piracy areas and further report upon passing Point A or B in the GoA, as shown on Anti-Piracy Chart Q6099 (see Appendix IV of this Notice).

- c. Inside the GoA

- i. EU NAVFOR ATALANTA³ strongly recommends that ships conduct their passage within the IRTC. Westbound ships should bias themselves to the northern portion of the corridor, and eastbound ships to the southern portion. Group Transit (GT) guidance within the GoA for times and speeds are on the MSCHOA website, if a GT is contemplated.
- ii. Ships should avoid entering Yemeni Territorial Waters (YTW) 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 YTW.
- iii. Ships may be asked to make adjustments to passage plans to conform to MSCHOA routing advice.
- iv. During GTs, ships should not expect to be permanently in the company of a warship. But all warships in the GoA, whether part of EU NAVFOR or coordinating with them, will be aware of the GoA GTs and will have access to the full details of vulnerable shipping.
- v. MSCHOA strongly recommends Masters make every effort to plan transit periods of highest risk areas of the GoA for night passage (MSCHOA will advise ships). Very few successful attacks have occurred at night.

- c. Outside the GoA

- i. Ships transiting South and East of the Coast of Somalia to ports outside of East Africa should consider navigating to the east of Madagascar or (for guidance) maintain a distance of more than 600 nautical miles from the coastline and when routing north/south consider keeping East of 60°E Longitude until East of the Seychelles
- ii. Masters should still update UKMTO in the usual manner with their ship course and details.

4. Prior to Transit – Defensive Measures

- a. Taking into account the manning levels, ensure that ship routines are adjusted sufficiently in advance to ensure well-rested and well-briefed crew are on watch and ensure sufficient watch keepers are available. The Master and Officers of the Watch should be familiar with the impact of zigzag maneuvers onboard their particular ship (in all sea conditions), and in particular, the impact that these maneuvers can have upon reducing the speed of the vessel.

³ EU NAVFOR ATALANTA is the coordinating authority which operates MSCHOA.

- b. Consider minimizing external communications (radios, handsets and AIS information) to essential safety and security related communication and SOLAS information only, during transit of the GoA and passing the Coast of Somalia.
- c. Increase readiness and redundancy by running additional auxiliary machinery, including generators and steering motors.
- d. Increase lookouts / bridge manning.
- e. Man the engine room.
- f. Secure and control access to bridge, engine room, steering gear room, and crew quarters. All potential access points (doors, portholes, vents, etc.) should be risk-assessed and adequately secured, especially where the potential access point is considered large enough for an attacker to gain entry. Access to and from the accommodation and internal work spaces should be reduced to a single point of entry when transiting the high risk area. Any measures employed should not obstruct an emergency EXIT from within the internal space, while remaining secure from access by pirates outside.
- g. In case of emergency, warships can be contacted on VHF Ch. 16 (Backup Ch. 08).
- h. Check all ladders and outboard equipment are stowed or up on deck.
- i. Check that self-protection measures put in place in advance remain securely fitted and function as intended. Be mindful that temporary devices may work loose and consequently may only provide a reduced level of protection.
- j. 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. Check the MSCHOA website for examples of such measures.
- k. It is recommended that a safe mustering location be designated and mustering procedures rehearsed in order to delay access to control of the ship and to buy time. Ideally this should be away from external bulkheads and portholes. Due to the ongoing debate on the use of "citadels" and their method of employment, Masters are recommended to check regularly with MSCHOA and the CSO for proper guidance in its establishment.
- l. 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.
- m. It is suggested that fire pumps and/or hoses should be pressurized and ready for discharge overboard in highest risk quarters.
- n. Consideration should also be given to creating a water curtain around the vessel to further deter boarding.

- o. Consider the use of razor wire/physical barriers around stern/lowest points of access, commensurate with crew safety and escape.
- p. Consider the use of passive defense equipment.
- q. Consider providing night vision optics for use during the hours of darkness.
- r. Operate CCTV (if fitted).
- s. See Appendix II, Bridge Checklist, as an example of defensive measures that can be taken to avoid danger.

5. In Transit – Operations

- a. Ship's crew should not be exposed to undue risk when employing Self Protective Measures (SPMs).
- b. All ships inside the GoA are strongly urged to use the IRTC and follow MSCHOA Group Transit (GT) advice and timings as promulgated on the MSCHOA web site.
- c. If you intend to follow a GT through the IRTC: Transit at the GT 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 those 2 knots in reserve.)
- d. If you do not intend to follow a GT through the IRTC: 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 and aim to transit as much of the high risk area in darkness as possible).
- e. Maintain maximum CPA (closest point of approach) with any ship acting suspiciously.
- f. Ships should continue to report their noon positions and speed, actual departure times and estimated arrival times during transit using UTC.
- g. Ships 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 endeavor not to impede the safe navigation of other vessels when joining and leaving the IRTC.
- h. 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. Where fitted, and deemed suitable, consider the immediate use of "remotely operated" ship search lights. If suspicious activity around the vessel is observed, the use of search lights may startle and deter a potential attack. Current naval advice is to transit with navigation lights only.

- i. Keep photographs of pirate “mother ships” on the bridge. Immediately report all sightings of suspect mother ships to UKMTO Dubai and the IMB PRC at:

UKMTO Dubai: +971 505 523 215 / ukmto@eim.ae

IMB PRC: +60 3 2031 0014 / imbkl@icc-ccs.org or piracy@icc-ccs.org

Such reports may also be relayed to MSCHOA or MARLO using the following contact details:

MSCHOA: postmaster@mschoa.org

MARLO: +973 39401395 / marlo.bahrain@me.navy.mil

Such reporting will aid in building a clearer picture of pirate activity which will assist in better protecting shipping and eradicate the threat to freedom of navigation in the area. (See Appendix III of this Notice for an MI Report of Piracy and Armed Robbery Against Ships (MI-109-2) form for forwarding such information or any other information concerning an attack or sighting.)

- j. The Master should try to make as early an assessment of a threat as possible. As soon as the Master feels that a threat is developing he should immediately activate the SSAS and call the UKMTO.
- k. Keep a good lookout for suspicious craft, especially from astern. Note that most attacks to date have occurred from the port quarter.
- l. Protect the crew from exposure to undue risk. Only essential work on deck should occur in transit of the high risk area. Masters should, in so far as possible, keep crew members clear from external deck spaces during hours of darkness, while being mindful of their obligation to maintain a full and proper lookout in all directions at all times.
- m. Use light, alarm bells and crew activity to alert suspected pirates that they have been detected.
- n. A variety of other additional commercially available non-lethal defensive measures are available that could be considered; however, these should be assessed by companies on their merits and on the particular characteristics of the ship concerned.

6. If Attacked by Pirates

- a. Follow the ship’s pre-prepared contingency plan.
- b. Activate the SSAS, which will alert your CSO and the Flag Administration..
- c. Activate the Emergency Communication Plan/Call in order of priority:
 - i. UKMTO Dubai (+971 50 552 3215)
 - ii. MSCHOA (+44(0) 1923 958545)

- iii. MARLO (+973 3940 1395)
- iv. IMB (+60 3 2098 5763)
- d. If the Master has exercised the right to turn off the AIS during transit of the piracy area, this should be turned on once the ship comes under pirate attack.
- e. Sound emergency alarm and make a PA announcement 'Pirate attack' in accordance with the ship's emergency plan.
- f. Make 'Mayday' call on VHF Ch. 16 (and backup Ch. 08, which is monitored by naval ships). Send a distress message via the Digital Selective Calling (DSC) system and Inmarsat-C, as applicable. Establish telephone communication with UKMTO.
- g. Provided the ship has not been ordered by the perpetrators to maintain radio silence, contact should immediately be made with the Port State Marine Police on Channel 7 or Channel 12, or other appropriate means to port State authorities and/or with ships in the vicinity and shore authorities by sending a piracy/armed robbery attack message through INMARSAT or on an available DSC distress and safety frequency. Consider utilizing methods contained in MSC/Circ. 805, Guidance for the Use of Radio Signals by Ships Under Attack or Threat of Attack from Pirates or Armed Robbers (reference (g) of this Notice) to make the perpetrators aware that they have been detected.
- h. Prevent skiffs from closing in on the ship by altering course and increasing speed where possible. Pirates have great difficulty boarding a ship that is:
 - i. Making way at over 15 knots.
 - ii. Maneuvering - it is suggested that as early as possible Masters carry out continuous small zigzag maneuvers whilst maintaining speed. Consider increasing the pirates' exposure to wind/waves and using bow wave and stern wash to restrict pirate craft coming alongside. Masters and the Officer of the Watch (OOW) should be aware of the handling and maneuvering characteristics of the vessel. Particular attention should be given to the effects of varying helm orders and the impact these can have on the ship's speed.
- i. Activate fire pump defensive measures.
- j. Consider turning on forward facing deck lights to draw attention to your vessel and aid positive identification by arriving military forces as a vessel under attack.
- k. Muster all remaining crew in one defined safe mustering location..
- l. Maximize ship speed. Evidence to date from failed attacks is that the pirates will give up if unable to board within 30 to 45 minutes. If you can buy time until the military forces can arrive, this often leads the pirates to abort their attack.

7. If Boarded by Pirates

- a. Before pirates gain access to the bridge, inform UKMTO, MSCHOA and, if time permits, the Company.
- b. Offer no resistance; this could lead to unnecessary violence and harm to crew.
- c. If the bridge/engine room is to be evacuated, then the main engine should be stopped; all way taken off the vessel, if possible, and the ship navigated clear of other ships.
- d. Remain calm and co-operate fully with the pirates.
- e. Ensure all crew, other than bridge team, stay together in one safe mustering location.
- f. Use emergency communication methods to communicate with authorities.
- g. When a ship is ordered by the perpetrators not to make any form of transmission informing shore authorities of the attack, and complying with recommendation 6g. and 7f., above, may result in physical violence or death to the crew, it is recommended that any such order should be complied with as they may carry equipment capable of detecting all radio signals, including satellite communications.
- h. If in a locked down mode in the safe mustering location, 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.

8. In the Event of Military Action

- a. Crew should be advised NOT to use cameras with flash at any time when any military action is underway.
- b. In the event that military personnel take action onboard the ship, all personnel should keep low to the deck, cover their head with both hands (always ensuring that hands are visible and not holding anything) and make no sudden movements unless directed to by friendly forces.
- c. Be prepared to answer questions on identity and status onboard.
- d. Be aware that English is not the working language of all naval units in the region. This is why early registration with MSCHOA, use of GT timings, and updating your position with UKMTO are essential. They all provide a better probability that naval support will be nearby and ready to respond immediately if the pirates attack.
- e. Military Forces may initially secure all persons encountered. This is standard practice. Brief and prepare ship's personnel to expect this and to cooperate fully during the initial stages of military action onboard.

9. Post-Incident Reporting

- a. Following any piracy attack or suspicious activity, it is vital that a detailed report of the event is reported to MSCHOA, UKMTO DUBAI, IMB and the Administrator.
- b. This will ensure full analysis and trends in piracy activity are established as well as enabling assessment of piracy techniques or changes in tactics, in addition to ensuring appropriate warnings can be issued to the merchant shipping in the vicinity.
- c. Masters are therefore requested to complete the piracy report form contained in Appendix III of this Notice. The report form can be used for submissions to the international organizations (e.g., MSCHOA, UKMTO, MARLO, IMB, IMO) as well as to the Administrator.

APPENDIX I

CONTACT LIST

MSCHOA

1. A Ship and its passage plan should be registered with MSCHOA at <http://www.mschoa.org> prior to each transit of the Internationally Recommended Transit Corridor (IRTC), the Somali Basin or the Western Indian Ocean.
2. MSCHOA may be reached directly at:

+44 (0) 1923 958545 (telephone)
+44 (0) 1923 958520 (fax)
postmaster@mschoa.org (email)

UKMTO Dubai

1. The UKMTO based in UAE works closely with CMF headquarters passing on positional information and providing emerging and relevant information directly to ships improving responsiveness to any incident and saving time.
2. The preferred method of communication with UKMTO for routine reporting is email to ukmto@eim.ae; Fax: +971-4-306-5710; or Telex: (51) 210473.
3. In case of emergency, the UKMTO may be reached by the 24-hour Duty Phone:

+971-50-552-3215

MARLO Information Exchange

1. Passage information should be provided to MARLO 48 hours prior to transiting through the GoA via email to marlo.bahrain@me.navy.mil, or telephone +973-1785-1395.
2. In case of emergency, the MARLO may be reached by the 24-hour Duty Phone:

+973-3940-1395

IMB

1. It is recommended that Masters of vessels transiting the GoA include the IMB PRC as part of the reporting procedures by email to imbkl@icc-ccs.org.
2. In case of emergency, the IMB may be reached by the 24/7 Helpline Number:

+60-3-2031-0014

or by the 24/7 Help Email: imbsecurity@icc-ccs.uk.
3. The IMB Piracy Reporting Centre website is: <http://icc-ccs.org>.

APPENDIX II

BRIDGE CHECKLIST

Vessel owners and operators, Master and crew should limit and avoid danger by taking these additional measures:

- ☐ Transit the GoA by way of the Internationally Recommended Transit Corridor (IRTC).
- ☐ Maintain a minimum distance of 60° E Longitude from the East Coast of Somalia.
- ☐ Avoid sailing between Socotra and Somalia.
- ☐ Maintain at least 50 nm radius around Socotra.
- ☐ Establish special operating procedures for vigilance and for the event of an attack.
- ☐ Practice piracy drills, provide refresher training for the crew concerning anti-piracy measures.
- ☐ Ensure crew radios and in-vessel communications are in good working order.
- ☐ Secure a pre-designated safe mustering location for crewmembers to muster.
- ☐ Secure alternative steering location, if possible.
- ☐ Maintain a single point of entry into the house.
- ☐ Secure deck lighting (except for mandatory navigation lights).
- ☐ Maintain contact numbers for MARLO and UKMTO in the wheelhouse.
- ☐ Increase monitoring of VHF communications on Channel 16 (back-up Channel 08).
- ☐ Keep unnecessary communications to a minimum except to make contact with naval units and other vessels as soon as the vessel enters the high risk area.
- ☐ Continue the use of AIS but limit information to Vessel Name and Maritime Mobile Service Identity (MMSI) so that it may still be identified by coalition forces. Coalition Maritime Forces have AIS monitoring capability.
- ☐ All available radars should be used and constantly monitored.
- ☐ Post additional 24-hour lookouts forward, amidships and aft.
- ☐ Maintain a 24-hour watch by crew for suspicious activity, including a sharp lookout for suspicious small boats operating in the vicinity.
- ☐ Increase and maintain speed to at least 15 kts. The faster the better.
- ☐ Maneuver to avoid small craft and take aggressive evasive measures, if necessary.
- ☐ Take defensive precautions prior to entering the area including rigging fire hoses, spotlights, concertina wire, etc. Experience has demonstrated the use of high pressure fire hoses to be very effective at repelling boarders.
- ☐ Consider other non-lethal measures such as focused sonic devices, guard dog security teams, etc.

APPENDIX III

MI-109-2, REPORT OF PIRACY AND ARMED ROBBERY AGAINST SHIPS

Phone: +1-703-620-4880 Fax: +1-703-476-8522 Email: investigations@register-iri.com dutyofficer@register-iri.com	OFFICE OF THE MARITIME ADMINISTRATOR REPUBLIC OF THE MARSHALL ISLANDS 11495 Commerce Park Drive Reston, Virginia 20191-1506 USA	<u>THIS SPACE FOR OFFICIAL USE ONLY</u>
REPORT OF PIRACY AND ARMED ROBBERY AGAINST SHIPS		
INSTRUCTIONS		
1. This form is to be completed to report incidents of piracy, armed attacks, hijacking or terrorism. 2. An original of this form shall be submitted to the Maritime Administrator as soon after the occurrence of the incident (attempted or actual). 3. This form must be completed in full. Entries which do not relate to a particular case should be indicated as not applicable by inserting the initials "N/A."	4. This form should be completed by the Master or person in charge, or, if neither is available, by the owner or his duly authorized agent. 5. Attach separate form MI-109-1 to this report for each person injured, killed, or incapacitated in excess of 72 hours as a result of this incident. 6. Attach separate form MI-109 to this report for any damage or loss to/of vessel.	
I. PARTICULARS OF VESSEL / OWNER / SHIPMANAGER		
1. Name of Vessel		
2. Official Number	3. IMO Number	
4. Gross Tonnage	5. Type of Vessel	
6. Propulsion	7. Ship's Freeboard _____ ☐ meters / ☐ feet	
8. Name of Owner		
9. Name, Address and Telephone of Managing Agent		
10. Cargo Details (Type/Quantity)		
11. Numbers of Crew and Nationality		

IV. INCIDENT DETAILS	
25. Method used by perpetrators to stop or board vessel	
26. Type of weapons used by perpetrators	
27. Number of perpetrators involved and duration of attack, type of attack (attempted/boarded) and whether attack was aggressive/violent	
28. Suspected or known identity and description of perpetrators (dress, physical appearance, language spoken, if known)	
29. Injury or loss of life ☐ No ☐ Yes If yes, complete and attach form MI-109-1, Report of Personal Injury or Loss of Life.	
30. Damage to, or loss of, vessel ☐ No ☐ Yes If yes, complete and attach form MI-109, Report of Vessel Casualty or Accident	
31. Items stolen Estimated replacement cost US \$ _____	
32. Details of incident, including consequences to the crew, even if there were no physical injuries (e.g., from which direction approached, craft and communication equipment used, last observed movements of perpetrators/suspect craft, area of ship being attacked, etc.) Attach separate sheet if necessary.	
33. Action taken by crew	
34. Recommended additions to SSP/new measures needed to prevent recurrence, i.e., set higher MARSEC level, additional lighting, etc.	
V. REPORT	
35. Date of Report	36. Submitted by (Print Name)
37. Signature	38. Title

APPENDIX IV

ANTI-PIRACY PLANNING CHART – RED SEA, GULF OF ADEN AND ARABIAN SEA

