

Guidelines to ship owners and ship operators. ship masters & crews on preventing & suppressing acts of piracy & armed robbery against ships

M.S. Notice 19 of 2002

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Sub: Guidance to shipowners and ship operators, ship masters and crews on preventing and suppressing acts of piracy & armed robbery against ships

1. PURPOSE

- i. Purpose of this Merchant Ship notice is to bring to the attention of all masters, crew, shipowners, managers and agents, the risk of piracy on high seas and armed robbery against ships while at anchor, in port or while underway through the waters of a coastal state. This notice is more importantly meant to serve as a guide in dealing with such acts of violence.
- ii. Piracy* is an offence committed on the high seas or in a place outside the jurisdiction of any State. As per provisions of the United Nations Convention on the Law of the Seas(UNCLOS), a pirate who has been apprehended on the high seas is to be dealt with under the laws of the flag State of his captors.
- iii. Within territorial waters, jurisdiction over armed robbers or pirates rests solely with the Coastal State.
- iv. The following definition of piracy is contained in article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):
- v. Piracy consists of any of the following acts:
 1. 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:
 2. against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
 3. 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;
 4. (c) any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b)."

2. METHODOLOGY OF A PECULIAR PIRATE ATTACK

"Soft Targets"

A ship at anchor or a ship underway at slow speed in coastal waters and with no visible activity on decks is usually a soft target for a potential pirate attack. Raiders almost certainly use the cover of darkness. Small boats generally fitted with high-speed outboard engines are used. The attempt is not to alarm the crew. However, if confronted, they would take a crewmember hostage and threaten him either to gain information or to intimidate and gain control over the master or other crewmembers or to gain access to the crews' quarters. Communication equipment may be destroyed to prevent or delay the alarm being raised. Crews' accommodation may be raided for portable personal possessions. The Master's safe may be opened and any cash stolen. Easily accessible containers on deck may be forced open. There is also some evidence of selective opening of containers or holds with high value cargoes, implying prior knowledge of the cargo manifest. The attackers may also steal any movable ship's stores. There is some evidence where pirates have been recognized as ex-employees of shore based cleaning or other contractors who have earlier worked on the ship during her last calls to ports. Recent evidence indicates that it is not safe to assume that they are not carrying firearms.

3. AREAS OF INCREASED PIRATE ACTIVITIES

Piracy attempts have been reported in following areas :

- i. South East Asian waters, Malacca Straits and more specifically Phillip channel.
- ii. South China and sea and Philippines waters.
- iii. There have also been attacks outside the areas stated above but these attacks have been few in number.

4. GUIDANCE IN PREPARING AN ANTI-PIRACY PLAN

These guidelines are purely recommendatory in nature

The Anti-Attack Plan

The plan should be ship specific & prepared while taking in account the level of risk that may be encountered. Some of the factors that merit consideration would be, number of crew available and their capabilities & training, design of the ship in the respect to ability to establish secure areas, availability of surveillance and detection equipment onboard etc. A typical plan would consist of following key points.

Key points

- i. Be vigilant
- ii. Reduce opportunities for theft
- iii. Establish secure area(s)
- iv. Prepare and exercise anti-attack plans
- v. Report all incidents to the coastal and flag state authorities

5. FOLLOWING IS THE LIST OF MEASURES THAT WOULD REDUCE THE RISK OF A PIRATE ATTACK.

- i. If there is possibility of delay in berthing, avoid anchoring by reducing speed or staying away from the approaches to the port.
- ii. Restrict access points.
- iii. Mobilize all available detection / surveillance equipment.
- iv. Ensure anti-piracy watches
- v. Maintain a strict gangway watch while in port. Lift up the gangway after the day's work is completed.
- vi. Ensure seaside areas are also watched in port
- vii. If possible, photograph all persons boarding the vessel in port or at anchorage. This would deter possible attackers and also assist in identification of attackers.
- viii. Limit the circulation of cargo manifests.
- ix. Bridge watches could be doubled when passing through suspected areas. Ensure 'blind spots' on decks, especially towards the stern, are identified and due care is taken while keeping lookout.
- x. Consider installing yacht radar at the stern to monitor low profile fast moving craft.
- xi. It would be useful to draft and store a 'standard message' for pirate attack for immediate use in an emergency. A special code for 'piracy/armed robbery attack' is now available for use on Digital Selective Calling (DSC) equipment. Where practicable and appropriate, DSC equipment should be modified to incorporate this facility.
- xii. Exercise caution when transmitting cargo/ship's schedule related information on VHF.
- xiii. Secrete a VHF transceiver on the ship to allow contact to be established with the shore authorities if the main communications equipment is put out of action, during a pirate attack.
- xiv. Use maximum lighting available consistent with safe navigation, having regard in particular to the provisions of Rule 20(b) of the 1972 Collision Regulations. Bow, and overside lights may be left 'ON' if possible.
- xv. Securing doors that provide access to, key areas may give rise to concern over safety in the event of an accident. In any situation where there is a conflict between safety and security the safety requirements should be paramount.
- xvi. Consider installing closed-circuit television (CCTV) coverage of the main access points to the ships secure areas, the corridors approaching the entrances to key areas and the bridge.

- xvii. There should be designated muster areas within the ship's secure areas where the crew can muster during an attack and communicate their location and numbers to the bridge.
- xviii. Emergency alarm signals including the ship's whistle should be repeatedly sounded if suspicious movements of small crafts is observed near the ship.
- xix. Distress flares should only be used when the master considers that the actions of attackers are placing his ship in imminent danger.
- xx. Masters should consider "riding off" attackers craft by heavy wheel movements, always subject to safe sea room available
- xxi. The use of water hoses should also be considered. Water pressures of 80 lb per square inch and above have deterred and repulsed attackers. Further, the attempt could be to damage the engine etc. of the pirate's boat. A number of spare fire hoses could be rigged and tied down ready to be pressurised at short notice if a potential attack is detected.
- xxii. The use of firearms is not advised on board Merchant ships to fight off the pirates.

6. IF ATTACKERS BOARD THE VESSEL

There is no substitute to early detection of potential attacks and this first line of defence must be strengthened utilizing all available resources available. In an unfortunate instance where attackers have indeed managed to board the vessel, following should be adhered to, in as much as possible under the circumstances.

- i. Securing the greatest level of safety for those on board the vessel;
- ii. Seeking to ensure that the crew remain in control of the navigation of the vessel;
- iii. Securing the earliest possible departure of the attackers from the vessel.
- iv. Crewmembers should operate together and remain in constant communication with the bridge and should be recalled if their line of withdrawal to a secure area is threatened
- v. There will be many circumstances when compliance with the attackers' demands will be the only safe alternative and when resistance or obstruction of any kind could be both futile and dangerous.
- vi. It should be remembered that attackers are in fact almost always short of time. Masters are advised to exploit this weakness.

7. ACTION AFTER AN ATTACK

- i. If crew have apprehended an attacker, he should be placed in secure confinement and well cared for. Arrangements should be made to transfer him to the custody of law enforcement officers of a coastal State at the earliest possible opportunity. Any evidence relating to his activities should also be handed over to the authorities who take him into custody.
- ii. If an attack has resulted in the death of or serious injury to any person on board the ship or serious damage to the ship itself, an immediate signal should also be sent to the ship's maritime administration as per the statutory requirements.
- iii. Any CCTV or other recordings of the incident should be secured. If practicable, areas that have been damaged should be secured and remain untouched by crewmembers pending possible forensic examination by the law enforcement agencies of a coastal State.
- iv. Crewmembers who came in contact with the attackers should be asked to prepare an individual report on their experience noting in particular any distinguishing features, which could help subsequent identification of the attackers.
- v. A full inventory of stolen goods including a description of any personal possessions or equipment damaged/stolen should be prepared.
- vi. Reports to the RCC, coastal State and the ships maritime administration should also be made if an attack has been unsuccessful.

8. REPORTING A 'PIRATE ATTACK'

- i. Make report to designated Coastal authorities and also to flag administration. Designated Coastal authority for the purpose of reporting of a pirate/armed robbery in an around Indian Ports is the nearest port authority. Flag administration for Indian Ships is the Directorate General of Shipping, 'Jahaz Bhavan', Walchand Hirachand Marg, Mumbai 400 001, Tel: 91-22-2613651-4, Fax:91-22-2613655, Email:dgship@dgshipping.com, website: www.dgshipping.com

- ii. The International Maritime Organization (IMO) recommends in MSC Circular 623/Rev.3 dt. 29.05.02 that reports concerning attacks by pirates or armed robbers should be made to the relevant Rescue Co-ordination Centre (RCC) for the area. Information on RCCs may be found in the Search and Rescue Section of volume 5 of the Admiralty List of Radio Signals. [Information regarding RCC on Indian Coast is attached in Appendix-2.](#)
- iii. If suspicious movements are identified which may result in an imminent attack, the ship is advised to contact the relevant RCC. Where the master believes these movements could constitute a direct danger to navigation, consideration should be given to broadcasting an "All Stations (CQ)" "danger message" as a warning to other ships in the vicinity as well as advising the appropriate RCC. A danger message should be transmitted in plain language on a VHF working frequency following an announcement on VHF Channel 16, and/or transmission of a DSC call on VHF Channel 70 using the "safety" priority. All such messages shall be preceded by the safety signal (Securite).
- iv. When, in his opinion, there is conclusive evidence that the safety of his ship is threatened, the master should immediately contact the relevant RCC and, if considered appropriate, authorize broadcast of an "Urgency Message" on VHF Channel 16, 2182 kHz, or any other radio communications service he considers appropriate; e.g. 500 kHz, INMARSAT, etc. and/or a DSC call on VHF Channel 70 and/or 2187.5 kHz using the "all ships urgency" category. If the Urgency signal has been used and an attack does not, in fact, develop, the ship should cancel the message as soon as it knows that action is no longer necessary. This message of cancellation should likewise be addressed to "all stations".
- v. Should an attack occur and, in the opinion of the master, the ship or crew are in grave and imminent danger requiring immediate assistance, he should immediately authorize the broadcast of a "Distress message", using the radio communication systems most appropriate for the area taking into account its GMDSS designation; i.e. A1, A2, A3 or A4. To minimize delay, if using a ship earth station, ships should ensure the coast earth station associated with the RCC is used.

9. STANDARD MESSAGE FORMATS

The standard formats for :

- i. initial messages - piracy attack alert, and
- ii. piracy attack/sighting/suspicious act reports which were agreed by the IMO Sub-Committee on Radio communications in January 1993, are set out in [Appendix-1.](#)

10. PIRACY REPORTING CENTRE ON INDIAN COAST

[As per Appendix-2.](#)

11. This issues with the approval of Nautical Advisor to the Govt. of India

Sd/-

(Capt. Harish. Khatri)

Nautical Surveyor