



MARITIME SAFETY COMMITTEE
84th session
Agenda item 17

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PIRACY AND ARMED ROBBERY AGAINST SHIPS

Review of guidance provided by the Organization for preventing and suppressing piracy and armed robbery against ships

Submitted by ITF

SUMMARY

<i>Executive summary:</i>	This document questions the effectiveness of the guidance for preventing and suppressing piracy and armed robbery against ships where the vessels are inadequately manned and crews have been given insufficient training, information or technology to deal with these situations
<i>Strategic direction:</i>	6.2
<i>High-level action:</i>	6.2.1
<i>Planned output:</i>	6.2.1.2
<i>Action to be taken:</i>	Paragraph 8
<i>Related documents:</i>	MSC 84/2/2; resolutions A.890(21), A.922(22), A.955(23) and A.1002(25); MSC/Circ.622/Rev.1 and MSC/Circ.623/Rev.3

Background

1 On 1 June 2007, pirates attacked the vessel **Danica White** approximately 205 nautical miles off Somalia and took the five crew hostages. At the time of the attack, only the master was on the bridge, and he was involved in other work than navigational duties. Other ordinary seamen were not maintaining a piracy watch, despite being in a known high risk area. The master had information on board regarding appropriate action to take in high-risk areas but appears to have had no specific instruction from the owner regarding following the guidance of the IMO or the IMB (International Maritime Bureau). The master did believe he had activated the ship security alert system (SASS) when the pirates were on board, but neither the Administration nor the Company received it.

2 At the time of the hijack, the Company's Document of Compliance (DoC) was withdrawn by the Danish Maritime Authority (DMA). Because of this, the management was in the process of being transferred to another Company. However, despite not being inspected until after the hijacking, the **Danica White** continued to operate. In their report, the Danish Maritime Authority

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identified primarily two causes; the failure of the Company to give the master clear instructions, and the failure of the master to increase the lookouts. They recommended that the Company revise the procedure for piracy in line with MSC/Circ.623/Rev.3 and ensure the master is fully familiar with the operation of the SASS.

Considerations

3 Given that the seafarers were held hostage for 83 days and traumatized by the experience, and considering the background of a Company that has recently had its DoC withdrawn, it does not appear that the DMA recognized the true cause and extent of the problem. The ITF believes that there are more questions raised than answers given and that any review of MSC/Circ.622/Rev.1 and MSC.623/Rev.3 must fully consider more than just superficial solutions.

4 The ITF questions how a relatively slow, small vessel with minimal crew can possibly protect itself in a high-risk area. And, should flag States take more proactive measures to prevent these vessels operating where little external protection can be given?

5 The ITF questions whether any vessel with a minimum manning of four can take sufficient action to detect and prevent a piracy attack or implement the recommended measures within the MSC circulars. It is clear that even with the consideration of additional security requirements for each vessel in resolution A.955(23) that, in reviewing manning levels, this has not been given any consideration by many Administrations.

6 Despite an Administration removing the DoC for the ISM Code for this Company and clear indication that they had given insufficient consideration in the code for the training and protection of the crew with respect to piracy, the vessel has continued to operate. It raises the question as to when the Administration would consider the vessel's operation is a danger to the seafarer and warrant detention.

7 The ITF fully supports the actions contained in resolution A.1000(25) but considers that we should not just call for greater patrols and protection of vessels in these areas, but require flag States to actively take up the issue with Companies and take punitive action against those paying only lip service to effective manning levels. ITF believes that confining the advice within these circulars to Companies and seafarers without ensuring that flag States take their responsibilities seriously to ensure the welfare of all crews, is ineffectual. The ITF is of the view that there must be greater emphasis within the circulars on sufficient well trained crew as well as the provision of any technical aids to detect and deter pirates.

Action requested of the Committee

8 The Committee is invited to consider the concerns expressed in this document and take appropriate action.