RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 11 March 2010

on measures for self-protection and the prevention of piracy and armed robbery against ships

(Text with EEA relevance)

(2010/159/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

(1) The resurgence of acts of piracy off the coast of Somalia led the Maritime Safety Committee of the International Maritime Organisation (IMO) to adopt a series of measures at its 86th session from 27 May to 5 June 2009. It issued a number of circulars either updating the general recommendations in force on the measures to combat piracy and armed robbery against ships or defining specific measures to tackle piracy in the Gulf of Aden and off the coast of Somalia.

(2) Circular MSC.1/Circ.1334 of 23 June 2009 offers 'Guidance to ship owners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships'. The circular lists a comprehensive series of measures that can be taken onboard ships under any circumstances to prevent attacks or, when they occur, to minimise the risks to the crew and ship.

(3) Circular MSC.1/Circ.1332 of 16 June 2009 lists the best management practices to avoid, deter or delay acts of piracy in the Gulf of Aden and off the coast of Somalia, devised by maritime industry organisations on a voluntary basis and supported and encouraged by the contracting parties on account of the urgent need to combat attacks off the coast of Somalia. The maritime industry organisations updated these measures in version 2, which was published as circular MSC.1/Circ. 1335 of 29 September 2009.

(4) Although the measures set out in these IMO circulars are not compulsory or binding, the clear need to improve maritime security means that ships flying the flag of a Member State should protect themselves as best they can using current know-how when they are exposed in navigation regions with a high risk of piracy and armed robbery.

(5) By their very nature, acts of piracy and armed robbery against ships are often violent and pose a serious threat in several regions of the world, beyond the current situation off the coast of Somalia and in the Gulf of Aden and Indian Ocean.

(6) Piracy figures for 2008 are the highest since the International Maritime Bureau began collecting data in 1991, with 293 attacks on ships, 49 captures, 889 seamen held hostage, 11 killed, and 21 missing and presumed dead. Since 2008, there has been a sharp increase in the number of ships attacked and hijacked off the coast of Somalia and in the Gulf of Aden and Indian Ocean. Numerous ships have been attacked and detained by pirates, who hold the crew hostage until a ransom is paid for their release. The periods of captivity last several weeks or even months and are as unacceptable as they are traumatic for the seamen detained.

(7) The number of attacks in the Indian Ocean and Gulf of Aden has increased since the beginning of 2009, despite a brief respite in the summer on account of the monsoon and the difficult sailing conditions for pirates. Pirates carried out at least 164 attacks in 2009, 48 of which led to a ship being captured.

(8) The best management practices urge maritime companies and ships to register on the website of the Maritime Security Centre — Horn of Africa (MSCHOA (http://www.mschoa.org) before passing through the Gulf of Aden. Ships that register receive all the information available on the current situation in this particular navigation region and are tracked by the EU NAVFOR-ATALANTA operation forces, reducing the risk of

attack. Yet more than one third of ships in transit are still not registered with the MSCHOA and, as a result, cannot benefit from the measures in place to safeguard their transit through this region.

(9) On 15 June 2009, the Council of the European Union decided to extend the EU NAVFOR-ATALANTA military operation by one year from 13 December 2009 in order to help deter, prevent and suppress acts of piracy and armed robbery off the coast of Somalia. This military operation is the first naval operation conducted under the European Security and Defence Policy (ESDP), the Council having observed that piracy off the coast of Somalia continued to pose a significant threat to sea transport in the region.

(10) Since they are complementary to measures taken under the EU NAVFOR-ATALANTA operation, the effective and harmonised implementation of the preventive measures recommended by circulars MSC.1/Circ. 1334 and MSC.1/Circ. 1335 can but increase the effectiveness of the naval protection measures adopted by the Council to combat piracy off the coast of Somalia.

(11) It is the responsibility of the Member States to implement the measures aimed at strengthening maritime security and to ensure that all necessary means are allocated and provided to that end,

HAS ADOPTED THIS RECOMMENDATION:

1. The Member States are requested to ensure the effective and harmonised application of preventive measures to deal with the threats which ships may face during acts of piracy and armed robbery. These measures, which have been inventoried and consolidated, have received wide support from the IMO and maritime industry organisations.

2. *General measures*

2.1. The Member States are requested to inform operators registered with them of circular MSC.1/Circ.1334 adopted at the 86th session of the IMO's Maritime Safety Committee, which sets out and updates preventive measures for self-protection that ships and shipping companies are called on to implement in order to combat piracy and armed robbery wherever such risk occurs, in accordance with the International Ship and Port Facility Security Code (ISPS Code).

2.2. The Member States are requested to ensure above all that their ships are sufficiently and effectively manned in accordance with Rule 4.28 of Part B of the ISPS Code, which has become compulsory under Article 3(5) of Regulation (EC) No 725/2004 of the European Parliament and of the Council ([1]).

3. *Measures specific to the situation off the coast of Somalia*

3.1. The Member States are requested to inform operators registered with them of circular MSC.1/Circ.1332 adopted at the 86th session of the IMO's Maritime Safety Committee, supplemented by circular MSC.1/Circ.1335, which endorse best management practices at global level to avoid, deter or delay piracy in the Gulf of Aden and off the coast of Somalia, which are published and updated by maritime industry organisations on a regular basis.

3.2. The Member States are requested to take all necessary steps to ensure the dissemination, pass on the regular updates and verify the implementation of the best management practices to deter piracy off the coast of Somalia, which are set out in the Annex to this Recommendation.

Done at Brussels, 11 March 2010.

For the Commission
Siim KALLAS
Vice-President

([1]) OJ L 129, 29.4.2004, p. 6.

ANNEX

Best management practices to deter piracy in the Gulf of Aden and off the coast of Somalia
(Version 2 — August 2009)

In an effort to counter piracy in the Gulf of Aden and off the coast of Somalia, these best management practices are supported by the following international industry representatives:

1. International Association of Independent Tanker Owners (Intertanko)

2. International Chamber of Shipping (ICS)

3. Oil Companies International Marine Forum (OCIMF)

4. Baltic and International Maritime Council (BIMCO)

5. Society of International Gas Tanker and Terminal Operators (SIGTTO)

6. International Association of Dry Cargo Ship Owners (Intercargo)

7. International Group of Protection and Indemnity Clubs (IGP & I)

8. Cruise Lines International Association (CLIA)

9. International Union of Marine Insurers (IUMI)

10. Joint War Committee (JWC) and Joint Hull Committee (JHC)

11. International Maritime Bureau (IMB)

12. International Transport Workers Federation (ITF)

These best management practices are also supported by:

13. Maritime Security Centre Horn of Africa (MSCHOA)

14. UK Maritime Trade Organisation (UKMTO Dubai)

15. Maritime Liaison Office (MARLO)

Suggested planning and operational practices for owners, operators, managers and masters of ships transiting the Gulf of Aden and off the coast of Somalia

Purpose

1. The purpose of this document is to provide best management practices (BMP) to assist companies and ships in avoiding piracy attacks, deterring attacks and delaying successful attacks in the Gulf of Aden (GoA) and off the coast of Somalia. The organisations consulted on this document represent the vast majority of ship owners and operators transiting the region.

2. These organisations will encourage their members to utilise these BMP and will endeavour to promulgate these to other shipping interests as BMP for combating piracy in the region. This document complements guidance provided in the IMO MSC Circular MSC.1/Circ.1334.

Typical attack profiles and lessons learnt

1. During 2008 and the first half of 2009, an increase in the number of pirate attacks on merchant ships occurred throughout the GoA and off the coast of Somalia and within the wider North-West Indian Ocean. The majority of attacks were initially clustered around the northern side of the GoA but attacks have occurred further off the east coast of Somalia.

2. 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.

3. 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.

4. The use of a pirate 'mother ship', which is a larger ship carrying personnel, equipment, supplies and smaller attack craft, has enabled 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 defence. 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 counter measures 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 2 metres are considered sufficient to provide protection for all but the most vulnerable vessels, particularly where masters are taking full account of best management practices.

Recommended best management practices

1. Introduction

(a) Whilst recognising the absolute discretion of the master at all times to adopt appropriate measures to avoid, deter or delay piracy attacks in this region, this document of best practices is provided for ship owners and ship operators, masters and their crews.

(b) Not all measures discussed in this document may be applicable for each ship. Therefore, as part of the risk analysis, an assessment is recommended to determine which of the BMP will be most suitable for the ship. The following have, however, generally proved effective:

2. Prior to transit — general planning

(a) General

(i) UKMTO Dubai is the first point of contact for ships in the region. The day-to-day interface between masters and the military is provided by UKMTO Dubai, who talk to the ships and liaise directly with MSCHOA and the naval commanders at sea. UKMTO Dubai 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. (See Glossary at Annex A for further details.)

(ii) The Maritime Security Centre — Horn of Africa (MSCHOA), is the planning and coordination authority for EU forces (EU NAVFOR) in the Gulf of Aden and the area off the coast of Somalia. (See Glossary at Annex A.)

(iii) The Marine Liaison Office (MARLO) operates as a conduit for information exchange between the Combined Maritime Forces (CMF) and the commercial shipping community within the region. (See Glossary at Annex A.)

(iv) 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. 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.

(v) 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.

(vi) Advanced notice of a vessel's intended passage is required by the naval authorities so that they can identify vulnerabilities and plan suitable protection. This is achieved by primarily:

1. initial report to UKMTO Dubai (e-mail or fax);

2. initial report to MARLO (e-mail or fax);

3. additionally, if planning to transit the Gulf of Aden, or navigate within the area bound by 12° N, 58° E and 10° S: register the vessel movement with MSCHOA (either, online or by e-mail or fax).

(vii) Whilst measures should be taken to prevent pirates boarding, the safety of crew and passengers is paramount.

(b) Company planning

It is strongly recommended that managers and/or the operations department register for access to the restricted sections of the MSCHOA website (www.mschoa.eu), review the information contained therein and share this as appropriate within their fleet.

(i) 4-5 days before the vessel enters the international recommended transit corridor (IRTC), or area bound by 12 degrees north or 58 degrees east or 10 degrees south, ensure that a 'Vessel movement registration' submission has been logged with MSCHOA (online, e-mail or fax). Note: This can be done by either the ship or the company.

(ii) 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 Code) to counter the piracy threat.

(iii) 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).

(iv) Be aware of the particular high-risk sea areas that have been promulgated.

(v) Offer their ship's master guidance with regard to the preferred and available methods of transiting the region (group transit, escorted group transit, national convoy, etc.).

(vi) Conduct periodic crew training sessions.

(vii) The use of additional private security guards is at the discretion of the company but the use of armed guards is not recommended.

(viii) Consider additional resources to enhance watchkeeping numbers.

(ix) Consider the outfitting of ships with self-protection measures (SPM) prior to transiting high-risk areas.

(c) Ship's master planning

(i) Communication of 'Initial report' to UKMTO Dubai and MARLO (e-mail or fax) when entering the reporting area between Suez, and 78 degrees east 10 degrees south, see anti-piracy planning chart Q6099.

(ii) 4-5 days before entering the IRTC, or the area within 12 degrees north, 58 degrees east or 10 degrees south, ensure that a 'Vessel movement registration' submission has been logged with MSCHOA (online, e-mail 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.

(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 MSCHOA, IMB PRC, CSO etc. — see Contact List at Annex B).

(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. If in doubt this can be verified with MSCHOA.

3. Prior to transit voyage planning

(a) Vessels are encouraged to report their noon position, course, speed, estimated and actual arrival times to UKMTO Dubai and MARLO whilst operating in the region.

(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.

(c) Inside the GoA

(i) EU NAVFOR 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 (YTWs) while on transit. This is for reasons of customary international law, as it is not possible for international military forces (non-Yemeni) to protect ships that are attacked inside YTWs.

(iii) Ships may be asked to make adjustments to passage plans to conform to MSCHOA routeing 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.

(d) Outside the GoA

(i) 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.

(ii) Masters should still update UKMTO Dubai in the usual manner with their ship's course and details.

(e) A list of useful contact details are contained in Annex B.

4. Prior to transit — defensive measures

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

(b) Consider minimising 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 the bridge, engine room, steering gear room, and all accommodation/internal spaces. 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 areas. Any measures employed should not obstruct an emergency exit from within the internal space, whilst 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 piracy attack muster point or 'citadel' be designated and lock-down procedures rehearsed in order to delay access to control of the ship and 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.

(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 fire pumps and/or hoses should be pressurised and ready for discharge overboard around the vessel, particularly at the most vulnerable points.

(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 defence equipment.

(q) Consider providing night vision optics for use during the hours of darkness.

(r) Operate CCTV (if fitted).

5. In transit — operations

(a) Ship's crew should not be exposed to undue risk when employing self-protective measures (SPM).

(b) All ships inside the GoA are strongly urged to use the IRTC and follow MSCHOA GT advice and timings as promulgated on the MSCHOA website.

(c) Attention of mariners is also drawn to IMO circular SN.1 Circ. 281 dated 4 August 2009, 'Information on internationally recognised transit corridor (IRTC) for ships transiting the Gulf of Aden' where advice is provided that the IRTC is subject to change by military authorities according to prevailing circumstances. Mariners are therefore urged to obtain up-to-date information from the 'MSCHOA' website http://www.mschoa.org or NAV warnings promulgated for that area.

(d) If you intend to follow a group transit (GT) through the IRTC: transit at the group transit speed, but remain aware of the ship's limitations. (Current advice, for example, is that if your full sea speed is 16 knots, consider joining a 14-knot GT and keep those 2 knots in reserve.)

(e) 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 full sea speed of the ship is more than 18 knots, then do not slow down for a GT. Instead, maintain full sea speed and aim to transit as much of the high-risk area in darkness as possible.)

(f) Ships should comply with the International Rules for Prevention of Collision at Sea at all times. Masters should endeavour not to impede the safe navigation of other vessels when joining and leaving the IRTC. Navigation lights should not be turned off at night. Follow the guidance given by flag State authority.

(g) 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 searchlights, if suspicious activity around the vessel is observed, the use of searchlights may startle and deter a potential attack. (Current naval advice is to transit with navigation lights only).

(h) Keep photographs of pirate 'mother ships' on the bridge. Report immediately if sighted. Report all sightings of suspect mother ships to UKMTO Dubai and the IMB PRC. (See Annex C for an example of a piracy report for passing on such information or reporting on any other attack or sighting.)

(i) 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 call the UKMTO Dubai.

(j) Keep a good lookout by all available means for suspicious craft, especially from astern and each quarter.

(k) 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, whilst being mindful of their obligation to maintain a full and proper lookout at all times.

(l) Use light, alarm bells and crew activity to alert suspected pirates that they have been detected.

(m) 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 and vulnerability of the ship concerned.

6. If attacked by pirates

(a) Follow the ship's pre-prepared contingency plan.

(b) Activate the emergency communication plan, and report the attack immediately to the single primary point of contact in the event of an attack, which is UKMTO Dubai. (MSCHOA, as the continually manned maritime security watch centre for piracy attacks in the region, will continue to function as a back-up contact point in the event of an attack.)

(c) Activate the ship security alert system (SSAS), which will alert your company security officer and flag state. Post attack reports should be communicated as quickly as possible to all relevant piracy reporting centres as explained in section 9.

(d) 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.

(e) Sound the emergency alarm and make a 'pirate attack' (PA) announcement in accordance with the ship's emergency plan.

(f) Make a 'mayday' call on VHF Ch. 16 (and backup Ch. 08, which is monitored by naval units). Send a distress message via the DSC (digital selective calling) system and Inmarsat-C, as applicable. Establish telephone communication with UKMTO Dubai.

(g) Prevent skiffs closing on the ship by altering course and increasing speed where possible [1]. Pirates have great difficulty boarding a ship that is:

 (i) making way at over 15 knots;

 (ii) manoeuvring — it is suggested that as early as possible masters undertake continuous small zigzag manoeuvres to further deter boarding 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 manoeuvring 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.

(h) Activate fire pump defensive measures.

(i) 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.

(j) Muster all remaining crew in accordance with the ship's contingency plan.

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[1] If you can buy time until the military forces arrive, this often leads the pirates to abort their attack. This is why early registration with MSCHOA, use of group transit timings and updating your position with UKMTO Dubai are all essential: it gives a better probability that naval support will be nearby if the pirates attack.

7. **If boarded by pirates**

   (a) Before pirates gain access to the bridge, inform UKMTO Dubai and, if time permits, the company.

   (b) Offer no resistance; this could lead to unnecessary violence and harm to the 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 cooperate fully with the pirates.

   (e) Ensure all crew, other than the bridge team, stay together in one location.

   (f) If in a locked down 'citadel' 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. Use citadel emergency communication methods to communicate with authorities.

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 under way.

   (b) In the event that military personnel take action onboard the ship, all personnel should keep low to the deck, cover their heads with both hands, with hands visible and empty.

   (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.

   (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 (reference Annex C).**

   (a) Following any piracy attack or suspicious activity, it is vital that a detailed report of the event is reported to MSCHOA, UKMTO DUBAI and the IMB.

   (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 other merchant shipping in the vicinity.

   (c) Masters are therefore requested to complete the standardised piracy report form contained in Annex C.

Updating best management practices

1. It is anticipated that these BMP will be periodically updated based upon operational experience and lessons learned. The parties to this document will endeavour to meet regularly to update these BMP and to circulate revisions to their respective members and other interested organisations.

2. If in doubt, consult the MSCHOA website where additional relevant information will always be posted (noting that this may not be endorsed by all of the above-listed organisations).

ANNEX A

GLOSSARY

The roles and inter-relationship of the coordinating bodies involved.

EU NAVFOR

EU NAVFOR is the coordinating authority which operates the Maritime Security Centre (Horn of Africa). All information and contact details are to be found within the MSCHOA website.

MSC (HOA) Maritime Security Centre (Horn of Africa)

MSCHOA was set up by the European Union (EU) as part of a European Security and Defence 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 the European Union took a major step further by setting up a naval mission — EU NAVFOR ATALANTA — to improve maritime security off the Somali coast by preventing and deterring pirate attacks and by helping to safeguard merchant shipping in the region.

UKMTO Dubai — (UK) Maritime Trade Operations

The UK Maritime Trade Operations (UKMTO Dubai) office in Dubai acts as a point of contact for industry liaison with the combined military forces (CMF). UKMTO Dubai also administers the voluntary reporting scheme, under which merchant ships are encouraged to send daily reports, providing their position and ETA at their next port, whilst transiting the region bound by Suez, 78° E and 10° S. UKMTO Dubai subsequently tracks ships, and the positional information is passed to CMF and EU headquarters. Emerging and relevant information affecting commercial traffic can then be passed directly to ships, rather than by company offices, improving responsiveness to any incident and saving time.

For further information, or to join the voluntary reporting scheme, please contact UKMTO Dubai: UKMTO@eim.ae

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ANNEX B

Useful contact details

UKMTO Dubai

E-mail	UKMTO@eim.ae
Telephone	+ 971 505523215
Cell	
Fax	+ 971 43065710
Telex	(51) 210473

MSCHOA

Via website for reporting	www.mschoa.org
Telephone	+ 44 (0) 1923958545
Fax	+ 44 (0) 1923958520
E-mail	postmaster@mschoa.org

IMB PRC

E-mail	piracy@icc-ccs.org
Telephone	+ 60 320310014
Cell	
Fax	+ 60 320785769
Telex	MA34199 IMBPC1

MARLO

E-mail	Marlo.bahrain@me.navy.mil
Telephone	+ 973 17853927
Cell	+ 973 39442117

ANNEX C

FOLLOW-UP REPORT — PIRACY ATTACK REPORT

Vessel particulars/details

1. NAME OF SHIP:
2. IMO No:
3. FLAG:
4. CALL SIGN
5. TYPE OF SHIP:
6. TONNAGES: GRT: NRT: DWT:
7. OWNERS (ADDRESS AND CONTACT DETAILS):
8. MANAGERS (ADDRESS AND CONTACT DETAILS):
9. LAST PORT/NEXT PORT:
10. CARGO DETAILS: (TYPE/QUANTITY)

Details of incident

11. DATE AND TIME OF INCIDENT: LT   UTC
12. POSITION: LAT: (N/S) LONG: (E/W)
13. NEAREST LANDMARK/LOCATION:
14. PORT/TOWN/ANCHORAGE AREA:
15. COUNTRY/NEAREST COUNTRY:
16. STATUS (BERTH/ANCHORED/STEAMING):
17. OWN SHIP'S SPEED:
18. SHIP'S FREEBOARD DURING ATTACK:
19. WEATHER DURING ATTACK (RAIN/FOG/MIST/CLEAR/ETC, WIND (SPEED AND DIRECTION), SEA/SWELL HEIGHT):
20. TYPES OF ATTACK (BOARDED/ATTEMPTED):
21. CONSEQUENCES FOR CREW, SHIP AND CARGO: ANY CREW INJURED/KILLED: ITEMS/CASH STOLEN:
22. AREA OF THE SHIP BEING ATTACKED:
23. LAST OBSERVED MOVEMENTS OF PIRATES/SUSPECT CRAFT:

Details of raiding party

24. NUMBER OF PIRATES/ROBBERS:
25. DRESS/PHYSICAL APPEARANCE:
26. LANGUAGE SPOKEN:
27. WEAPONS USED:
28. DISTINCTIVE DETAILS:
29. CRAFT USED:
30. METHOD OF APPROACH:
31. DURATION OF ATTACK:
32. AGGRESSIVE/VIOLENT:

Further details

33. ACTION TAKEN BY MASTER AND CREW:
34. WAS INCIDENT REPORTED TO THE COASTAL AUTHORITY? IF SO TO WHOM?
35. PREFERRED COMMUNICATIONS WITH REPORTING SHIP: APPROPRIATE COAST RADIO STATION/HF/MF/VHF/INMARSAT IDS (PLUS OCEAN REGION CODE)/MMSI
36. ACTION TAKEN BY THE AUTHORITIES:
37. NUMBER OF CREW/NATIONALITY:
38. PLEASE ATTACH WITH THIS REPORT — A BRIEF DESCRIPTION/FULL REPORT/MASTER — CREW STATEMENT OF THE ATTACK/PHOTOGRAPHS TAKEN IF ANY

Additional guidance for vessels engaged in fishing, supplementary to the best management practices to deter piracy in the Gulf of Aden and off the coast of Somalia

I. *Recommendations to vessels in fishing zones*

1. Non-Somali fishing vessels should avoid operating or transiting within 200 nm of the coast of Somalia, irrespective of whether or not they had been issued with licences to do so.

2. Do not start fishing operations when the radar indicates the presence of unidentified boats.

3. If polyester skiffs of a type typically used by pirates are sighted, move away from them full speed, sailing into wind and sea to make their navigation more difficult.

4. Avoid stopping at night, be alert and maintain bridge, deck and engine room watch.

5. During fishing operations, when the vessel is more vulnerable, be alert and maintain radar watch in order to give maximum notice to the authorities if an attack is in course.

6. While navigating at night, use only the mandatory navigation and safety lights so as to prevent the glow of lighting attracting pirates who sometimes are in boats without radars and are just lurking around.

7. While the vessel is drifting while fishing at night, keep guard at the bridge on deck and in the engine room. Use only mandatory navigation and safety lights. The engine must be ready for an immediate start up.

8. Keep away from unidentified ships.

9. Use VHF as little as possible to avoid being heard by pirates and make location more difficult.

10. Activate AIS when maritime patrol aircraft are operating in the area to facilitate identification and tracking.

II. *Identification*

1. Managers are strongly recommended to register their fishing vessels with MSCHOA for the whole period of activity off the coast of Somalia. This should include communicating a full list of the crewmen on board and their vessels' intentions, if possible.

2. Carry out training prior to passage or fishing operations in the area.

3. Whenever fishing vessels are equipped with VMS devices, their manager should provide MSCHOA with access to VMS data.

4. Fishing vessels should avoid sailing through areas where they have been informed that suspected pirate 'mother ships' had been identified and should use all means to detect, as soon as possible, any movement of large or small vessels that could be suspicious.

5. Fishing vessels should always identify themselves upon request from aircraft or ships from Operation ATALANTA or other international or national anti-piracy operation.

6. Military, merchant and fishing vessels should respond without delay to any identification request made by a fishing vessel being approached (in order to facilitate early action to make escape possible, especially if the vessel is fishing).

III. *In case of attack*

1. In case of an attack or sighting a suspicious craft, warn the authorities (UKMTO and MSCHOA) and the rest of the fleet.

2. Communicate the contact details of the second master of the vessel (who is on land) whose knowledge of the vessel could contribute to the success of a military intervention.

R e c o m m e n d a t i o n s   o n l y   f o r   p u r s e - s e i n e r s

3. Evacuate all personnel from the deck and the crow's nest.

4. If pirates have taken control of the vessel and the purse-seine is spread out, encourage the pirates to allow the nets to be recovered. If recovery of the purse-seine is allowed, follow the instructions for its stowage and explain the functioning of the gear in order to avoid misunderstanding.