

Best Management Practices to Deter Piracy in the Gulf of Aden and off the Coast of Somalia

(February 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)
11. International Maritime Bureau (IMB)

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 623.

TYPICAL ATTACK PROFILES AND LESSONS LEARNT

1. During 2008 significantly increased pirate attacks on merchant ships occurred throughout the GoA and off the coast of Somalia. The majority were clustered around the northern side of the GoA but some 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 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 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. To date no successful attacks have occurred on ships at 15 knots or more.
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.

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 checklist of best practices is provided for ship owners 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 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. The Maritime Security Centre - Horn of Africa (MSCHOA), is the planning and coordination authority for EU Forces in the Gulf of Aden and the area off the Coast of Somalia. 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 requires 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 detail)
 - 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. 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. 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 through MSCHOA. The information provided will enable MSCHOA to plan suitable protection and track the ship's passage through the area.
- v. Whilst 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>).
- 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) 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. Carry out crew training prior to passage.
- vi. The use of additional private security guards is at the discretion of the company but the use of armed guards is not recommended.
- vii. Consider additional resources to enhance watch keeping numbers.

c. Ship's Master Planning:

- i. 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 – 4 days before entering either the GoA or passing the coast of Somalia.
- ii. Prior to transit of the region it is recommended that the crew should be thoroughly briefed.
- iii. 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.
- iv. 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).
- v. 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 to UKMTO before entering the GoA or passing the coast of Somalia.
- b. Inside the GoA
 - i. EUNAVFOR 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 web site, if a GT is contemplated.

- ii. Ships should avoid entering Yemeni Territorial Waters (TTWs) while on transit. This is for reasons of customary international law, as it is not possible for international military forces (non Yemeni) to be able to protect ships that are attacked inside Yemeni TTW.
- 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 EUNAVFOR 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.
- 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.
- 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 bridge, engine room, steering gear room, and crew quarters.
- 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. 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.
- j. It is recommended a piracy attack muster point or "citadel" is 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
- k. 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.
- l. It is suggested fire pumps and/or hoses should be pressurised and ready for discharge overboard in highest risk quarters.
- m. Consider the use of razor wire/physical barriers around stern/lowest points of access, commensurate with crew safety and escape.
- n. Consider the use of passive defence equipment.
- o. Consider providing night vision optics for use during the hours of darkness.
- p. Operate CCTV (if fitted).

5. In Transit – Operations

- a. All ships inside the GoA are strongly urged to use the IRTC and follow MSCHOA GT advice and timings as promulgated on the MSCHOA web site.

- b. If you intend to follow a 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 maximum speed is 16 knots, consider joining a 14 knot GT and keep those 2 knots in reserve.)
- c. 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).
- d. 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. Follow the guidance given by Flag State Authority (e.g. for UK ships Marine Guidance Notice 298).
- e. Provide deck lighting only as required for safety. Lighting in the shadow zones around the ship's hull may extend the area of visibility for lookouts, but only where consistent with safe navigation. (Current naval advice is to transit with navigation lights only.)
- f. Keep photographs of pirate "mother ships" on the bridge. Report immediately if sighted. Report all sightings of suspect mother ships to UKMTO and the IMB PRC.(See Annex C for an example of a Piracy Report for passing such information or any other attack or sighting)
- g. 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.
- h. Keep a good lookout for suspicious craft, especially from astern. Note that most attacks to date have occurred from the port quarter.
- i. Protect the crew from exposure to undue risk. Only essential work on deck should occur in transit of the high risk area.
- j. Use light, alarm bells and crew activity to alert suspected pirates that they have been detected.
- k. 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 Emergency Communication Plan/Call in order of priority:
 - i. The UK Maritime Trade Operations (UKMTO) Dubai.
 - ii. The Maritime Security Centre Horn of Africa (MSCHOA).
 - iii. The International Maritime Bureau (IMB).
- c. Activate the Ship Security Alert System (SSAS), which will alert your Company Security Officer and flag state.
- 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 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 shipsship). Send a distress message via the DSC (Digital Selective Calling) system and Inmarsat-C as applicable. Establish telephone communication with UKMTO.
- g. Prevent skiffs closing 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. Manoeuvring - it is suggested that as early as possible Masters carry out continuous small zigzag manoeuvres whilst maintaining speed. Consider increasing the pirates' exposure to wind/waves and using bow wave and stern wash to restrict pirate craft coming alongside.
- h. Activate fire pump defensive measures.
- i. Muster all remaining crew in defined safe muster area/citadel.
- j. Maximise ship speed. Evidence to date from failed attacks is that the pirates will give up if unable to board within 30 - 45 minutes. If you

can buy time until the military forces can arrive, this often leads the pirates to abort their attack¹.

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 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 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.

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.

¹ This is why early registration with MSCHOA, use of Group Transit timings and updating your position with UKMTO are all essential: it gives a better probability that naval support will be nearby if the pirates attack.

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.

EUNAVFOR

EUNAVFOR is the main 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 – (UK) Maritime Trade Operations

The UK Maritime Trade Operations (UKMTO) 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 5°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 MTO Dubai: ukmtodubai@eim.ae

ANNEX B: USEFUL CONTACT DETAILS

UKMTO Email Telephone Cell Fax Telex	UKMTO@eim.ae +971 50 552 3215 +971 4 306 5710 (51) 210473
MSCHOA Via Website for reporting Telephone Fax Email	www.mschoa.org +44 (0) 1923 958545 +44 (0) 1923 958520 postmaster@mschoa.org
IMB PRC Email Telephone Cell Fax Telex	piracy@icc-ccs.org +60 3 2078 5763 +60 3 2078 5769 MA34199 IMBPC1

ANNEX C: FOLLOW UP REPORT – PIRACY ATTACK

1. Ship's name and call sign, IMO number
2. Reference initial PIRACY ALERT
3. Position of incident/Latitude/Longitude/Name of the area
4. Details of incident:
 - method of attack
 - description/number of suspect craft
 - number and brief description of pirates
 - what kind of weapons did the pirates carry
 - any other information (e.g. language spoken)
 - injuries to crew and passengers
 - damage to ship (which part of the ship was attacked?)
 - action taken by the Master and crew
 - was incident reported to the coastal authority and to whom?
 - action taken by the Coastal State.
5. Last observed movements of pirates / suspect craft
6. Assistance required
7. Preferred communications with reporting ship: Appropriate Coast Radio Station /HF/MF/VHF/Inmarsat IDs (plus ocean region code)/MMSI
8. Date/time of report (UTC)

安保理決議第 1851 号 ソマリア情勢に関する決議

採択日： 2008/12/16

会合： 第 6046 回会合

安全保障理事会は、

ソマリア情勢に関する過去の決議、特に決議第 1814 号 (2008)・第 1816 号 (2008)・第 1838 号 (2008)・第 1844 号 (2008)・第 1846 号 (2008) を想起し、

最近 6 か月におけるソマリア沖における海賊行為及び武装強盗事件並びに同国への迅速かつ安全で効果的な人道支援への脅威の激増に深刻な懸念を継続し、特にケニア沖 500 海里でのシリウス星号 (M/V Sirius Star) のシージャックや未遂に終わったがタンザニア沖での事案などで示されるように同国沖における海賊の攻撃は洗練され、大胆になり、地理的に拡大していることに留意し、

国際法に従い、漁業を含む海岸沖天然資源に対する同国の権利を含み同国の主権・領土保全・政治的独立・統一への尊重を再確認し、

さらに、海賊行為及び武装強盗その他の海洋での行為と戦うための法的枠組みを設定する 1982 年 12 月 10 日の海洋法に関する国際連合条約 (the United Nations Convention on the Law of the Sea of 10 December 1982 ; 以下「同条約」と記す) により示された国際法を再確認し、

同国の危機的状況、海賊を阻止し同国領海内及び同国沖公海上の国際航路を巡回し安全を保証することに関する暫定連邦政府 (TFG; the Transitional Federal Government) の能力の欠如を考慮し、

国際社会に同国領土内及び空域を使用させないためにあらゆる必要な措置を講じるため暫定政府を支援することを要請する 2008 年 12 月 9 日付同国大統領書簡並びに安全保障理事会からの支援に暫定連邦政府の謝意を表明する 2008 年 9 月 1 日付事務総長宛同国大統領書簡を含む同国沖の海賊と戦うための暫定連邦政府からの要請に留意し、同国沖における海賊行為及び武装強盗と戦うために他の諸国・地域機関と協同する暫定連邦政府の意図を表明し、

同国沖における海賊と戦い、同国沖の脆弱な船舶を保護する EU 活動 Atalanta の発動並びに北大西洋条約機構及び、暫定連邦政府との協力の下、同国沖における海賊を制圧するために国家の能力で活動する諸国の努力を歓迎し、

また同国沖における海賊行為及び武装強盗の原因・能力・事件への効果的な対策に関する、最近のエジプト・ケニア政府、ソマリア事務総長特別代表・国連薬物犯罪事務所 (UNODC) の提案を歓迎し、現在及び招待の海賊対策活動を効果的に調整する必要性を強調し、

能力・国内法制・逮捕後の海賊の扱いについての明確性の欠如は同国沖における海賊に

対する頑強な国際行動を妨害していること、場合によっては裁判にかけられないまま釈放されていることに懸念をもって留意し、1998年の海上航行の安全に対する不法な行為の防止に関する条約（the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation；SUA条約）は刑事犯罪を行う勢力に対し司直の手を伸ばし、力の行使またはいかなる形態の威嚇によって船舶を強奪または制御を奪った犯人またはそう疑われる者に責任を負わせることを繰り返し強調し、

2008年11月20日付監視グループ報告（S/2008/769）を歓迎し、武装集団による武器禁輸違反への資金提供における海賊の役割に留意し、

同国領海内及び同国沖公海上における海賊行為及び武装強盗事件は同国の情勢を悪化させ、当該地域における国際平和と安全に対する脅威であると見なし、

国際連合憲章第7章の下に行動し、

ソマリア領海内及び同国沖公海上における船舶に対するあらゆる海賊行為及び武装強盗への非難を繰り返し強調する。

そのような能力のある国家・地域機関・国際機関に対し、特に本決議・決議第1846号（2008）・国際法に従い、海軍艦船及び空軍機の展開並びに同国沖で海賊行為及び武装強盗に組みすると疑わしき船舶・艦船・武器及び関連物資の没収または処分を通じて同国沖における海賊行為及び武装強盗との戦いに積極的に参加することを要請する。

同国沖における海賊と戦うあらゆる国家及び地域機関に対し、捜査当局者（以下「捜査官」shipridersと記す）を後述する国、特に当該地域諸国から乗船させるために海賊を拘束しておく意図のある国による特別協定を結ぶこと並びに同国領海における捜査官による第三国司法権行使について暫定連邦政府の合意が予めなされ、そのような合意はSUA条約の効果的履行を妨げないとした上で、本決議の下での活動の結果として拘束された個人の同国沖における海賊行為及び武装強盗活動に対する捜査と起訴を推進することを奨励する。

同国沖における海賊行為及び武装強盗と戦うあらゆる国家及び地域機関に対し、同国沖における海賊行為及び武装強盗との戦いのあらゆる側面について国家・地域機関・国際機関間の共通連絡点として国際協力メカニズムの設置を奨励し、同国に対するWFP海上輸送の長期にわたる安全を含む同国沖国際航海の長期にわたる安全を確保する方法並びに可能な国際連合の調整及び指導的役割に関する将来の勧告並びに、この観点から決議第1846号決議採択後遅くとも3か月以内に事務総長報告で詳細化される、同国沖における海賊行為及び武装強盗に対抗するための加盟国及び地域機関の対策を想起する。

さらに同国沖における海賊行為及び武装強盗と戦うあらゆる国家及び地域機関に対し、同国沖における海賊行為及び武装強盗に関連する情報を協調する地域センターの創設を検討し、UNCLOSに従う捜査官協定を調整するためにUNODCを支援する地域的能力を向上し、SUA条約・国際的な組織犯罪の防止に関する国際連合条約（the United Nations Convention against Transnational Organized Crime）・その他地域諸国が加盟している関

連する条約を海上犯罪において海賊行為及び武装強盗を効果的に捜査し起訴するために履行することを奨励する。

2008年12月9日付暫定連邦政府書簡に対応して、加盟国に対し海上における海賊行為及び武装強盗において暫定連邦政府との協力を継続することを奨励し、海上における海賊行為及び武装強盗の根絶における暫定連邦政府の第一の役割に留意し、決議第1846号採択後12ヶ月の期間は、海上における海賊行為及び武装強盗との戦いにおいて暫定連邦政府と協力する各国及び地域機関は、暫定政府により事前に事務総長に報告した上で、暫定連邦政府空の要請に従い、海上における海賊行為及び武装強盗を制圧するために、同国内であらゆる必要な措置を行うことができることを決定する。ただし本パラグラフにおける承認に従いとられたいかなる措置も適用可能な国際人道法・人権法に従うものとする。

加盟国に対し、要請があった際に、事務総長に連絡の上、海上における海賊行為及び武装強盗の犯罪行為を計画し実行するために同国領土を利用しようとする者を裁判にかけるための捜査能力強化において暫定連邦政府を支援することを要請し、本パラグラフに従いとられたいかなる措置も国際人権法に適っていることを協調する。

2008年12月11日にケニアのナイロビで開催されたソマリア周辺における海賊に関する国際会議（the International Conference on Piracy around Somalia）により採択されたコミュニケを歓迎し、加盟国に対し司法能力をふくむ海賊と戦うための当該地域における関連諸国の能力拡大のために活動することを奨励する。

身代金の高騰が同国沖における海賊行為を活発化させていること並びに決議第733号（1992）により設定された武器禁輸の執行の欠如が海賊によって使用される武器・弾薬への入手を可能にさせ、海賊が増加する原因となっていることを指摘する、同国に関する2008年11月20日付監視グループ報告に懸念をもって留意し、

本決議による承認は同国の情勢に関してのみ適用され、他の情勢に関する、UNCLOS下での権利または義務を含む、国際法の下での加盟国の権利・義務・責任に影響を与えるものではないことを確認し、特に本決議は慣例的な国際法の確立を求めるものではないことを強調し、さらに暫定連邦政府による承諾を伝える2008年12月9日付書簡の受領によってこの承認は提供されることを確認する。

決議第733号（1992）第5パラグラフにより導入され決議第1425号（2002）第1・第2パラグラフによりさらに詳細化された措置は、上記第6パラグラフにおいて設定された措置を実施する加盟国及び地域機関に対する武器及び軍事には適用されないことを確認する。各国に対し、海運業・保険業・IMOと協力し、自国旗を掲げる船舶に同国沖航行時に攻撃またはその脅威にさらされた場合の回避・防衛に関する適切な助言・指針を与えることを要請し、さらに各国に対し、海賊行為及び武装強盗にあった場合またはあいさうになった場合、拘束されて解放された場合、乗組員・船舶を直ちに最寄の港に寄港し、必要に応じて鑑定捜査を受けさせるよう要請する。

この問題に引き続き積極的に取り組むことを決定する。



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See Distribution

01 Apr 09

SUPPORTING NATIONS MONTHLY MEETING – APR 09.

ATTENDEES

1. The following personnel were present at the meeting:

SERIAL	NATION	REPRESENTATIVE
1	France	Jean Louis Reboul French Embassy Lt Col Henri Lambare French Embassy
2	Germany	Klaus Weber
3	Italy	Walter DiMartino
4	Japan	Kohei Akiyama Japanese Embassy Hiroki Haruta Japanese Embassy
5	UK	Capt Phil Holihead RN outgoing UKDA Col Mark Claydon incoming UKDA Cdr Del McKnight RN UKMLO

AGENDA

2. The agenda for the monthly supporting nations meeting is:

- a. Introduction
- b. Current Events
- c. Current YCG Operations
- d. YCG Training
- e. Future Exercises / Visits
- f. Supporting Nations
- g. Any Other Business
- h. Next Meeting
- i. Closing Remarks

CURRENT EVENTS

3. The current events discussed were:

- a. **INDIAN OCEAN: SOMALI PIRATES MAY BE WIDENING THEIR HUNTING AREA**
 A story by the American Forces Press Service suggests that the pirates are plying their trade in the Indian Ocean now that Task Force 151 is patrolling their more traditional hunting area in the Gulf of Aden. In the last week, pirates seized two chemical tankers in the Indian Ocean: one Bahamian-flagged and Norwegian-owned, the other Panamanian-flagged and Greek-owned. One seizure was 380 nautical miles from Somalia, the other 490 miles, making them the farthest yet from the Gulf of Aden. Last year, pirates seized 42 ships, but 80 "piracy events" were thwarted. The score this year: 11 seizures, 37 failures. "This appears to be a new round of attacks," a Navy spokesman told the press service.

b. PIRATES ATTACKING GERMAN SHIP CAPTURED OFF SOMALIA

Seven pirates opened fire on a German naval supply ship in the Gulf of Aden but were chased down and captured by an international anti-piracy task force, the U.S. Navy and European officials said Monday. In the attack on the German ship, pirates apparently mistook German FGS Spessart supply vessel for a commercial ship when they opened fire on it on Sunday afternoon, U.S. Navy 5th Fleet spokesman Lt. Nate Christensen said. The German sailors returned fire and pursued the skiff while also calling in for support. Several naval ships — including a Greek and a Dutch frigate, a Spanish warship and the USS Boxer — sped to the area while a Spanish marine aircraft and two U.S. Marine Cobra helicopters joined the pursuit. Five hours later, Greek sailors reached the pirate skiff, boarded it and seized the seven suspects and their weapons, including assault rifles and rocket-propelled grenades, the Greek navy said. The suspects were disarmed and transferred for questioning to the German frigate Rheinland-Pfalz where they remain Monday, pending a decision on whether they will be legally prosecuted, Christensen said. Germany's Ministry spokesman Christian Dienst said no one was injured in the attack, the first on a German naval ship in this area. Christensen said that while the casualty-free operation "showcased the incredible international naval capabilities" it also "highlighted the complexity of counter-piracy operations." Apart from the Gulf of Aden, where the international anti-piracy efforts have been increasingly successful, pirates have also stepped up attacks further south off the eastern Somali coast.

c. SOMALI PIRATES KILL YEMENI FISHERMAN

Security forces in Mukalla city of Hadramout governorate said that a fisherman body aboard a boat arrived on Sunday at the port of the governorate, the Security Information Centre of Interior Ministry reported Sunday. The fisherman named Sahl Juma'an al-Sani, 45, has been killed few days ago in the Somali territorial waters by Somali pirates were trying to seize the boat. Al-Sani has been shot in his shoulder and subsequently died, the fisherman's friends told the centre adding that two other fishermen were also injured. Security authorities in Mukalla city have begun investigations to unveil the case circumstances. Worth to mention is that Yemeni fishing boats have been attacked 50 times last year by Somali pirates.

CURRENT YCG OPERATIONS

4. The following report was given by the Ops of the YCG:

Maritime Security

a. : The following Piracy incident occurred this month in the Gulf of Aden:

Successful Hijacks

19.03.09 @ 1430Z MV TITAN POSN: 12 35N 047 21E
(GRT 24843 – Flag St. Vincent & Grenadines – Managers Greece)

Attempts

02.03.09 @ 1030?	M/V BRO ALLIANCE	POSN: 12 09 N , 045 33 E
03.03.09 @ 0612 UTC	MV COURIER	POSN: 13 02N 048 43E
10.03.09 @ 0430 UTC	MV YONGFENG	POSN: 14 20N 052 55E
14.03.09 @ 0633 UTC	MV DIAMOND FALCON	POSN: 13 43.26N 049 19.35E
16.03.09 @ 1505Z	MV NORTHERN STAR	POSN: 12 33.4N 43 25.5 E
20.03.09 @ 0600Z	MV IASONAS	POSN: 13 -04.5 049-01.5E
20.03.09 @ 0600Z	MT VALLE DI ARAGONA	POSN: 13 42.6 N 042 27.8 E
28.03.09 @ 1150Z	???? MOTOR YACHT	POSN: 12'26N 046'53E
29.03.09 @ 2251Z	????	POSN: 11:51N - 045:00E:
29.03.09 @ 1923Z	MV SITEAM LEADER	POSN: 11:50,2 N 044:53,3 E

Released

04.03.09 - MV BLUE STAR (GRT 6168 – Flag St. Kitts / Nevis - Managers Egypt – Hijacked on 1.1.09)
29.03.09 – MV LONGCHANP (GRT 3415 – Flag Bahamas – Managers Germany – Hijacked on 29.01.09)

HELD IN SOMALI WATERS

04.08.08 - TUG – YENEGOA OCEAN (GRT 1101 – Flag Panama - Managers Nigeria)
10.11.08 - MV STOLT STRENGTH (GRT 20059 - Flag Philippines - Managers Philippines)
16.12.08 - TUG MASINDRA 7 / BARGE – AMD 1 (TUG – GRT 262 – Flag Malaysia – Managers Malaysia / BARGE 1822 – Flag Malaysia – Managers Malaysia)
02.01.09 - MT SEA PRINCESS II (GRT 1902 – Flag Panama – Managers Yemen)
22.02.09 - MV SALDANHA (GRT 38886 – Flag Malta – Managers Greece)
19.03.09 - MV TITAN (GRT 24843 – Flag St. Vincent & Grenadines – Managers Greece)
25.03.09 - MV NIPAYIA (TBC)
26.03.09 - MV BOW ASIR (TBC)

b. A quiet month for YCG, although reports of the number of illegal immigrants arriving in Yemen this year alone has now exceeded 15,000 and this during a period of poor weather in the Gulf of Aden.

c. The incident of the FS FLOREAL was reported. The French ship came across a vessel smuggling illegal immigrants in the Gulf of Aden. It appears a 6 of the crew had decided to pirate the MV TITAN and left the remaining 4 crew to look after the vessel. The smuggler had subsequently broken down and had to be taken in tow by the French. Eventually securing permission to bring the vessel into Yemen territorial waters they towed the boat to Aden. A rush for the jetty as the boat reached the pier caused the boat to capsize and 8 personnel to loose their lives and 4 more to be missing. A further 16 were injured. The French representatives asked if the crew of the smuggler were to be prosecuted for both smuggling and piracy. The former charge was confirmed but the YCG said they needed evidence to support the piracy charge. The French undertook to explore the possibility of their providing such evidence.

Maritime Safety

d. 1 case of SAR in the YCG-RSD, at Hodeida was reported. Four fishermen were saved, but a further 8 died.

MARPOL

e. Twelve incidents were reported this month in coordination with the MAA.

Operational exercise

f. Planning for the TAURUS and FRENCH exercise is nearing completion.

Joint YCG & CTF-150 MSC

g. One exercise with the Danes as part of CTF 150 took place. The training occurred off the coast near Aden port and involved 4 liaison officers from the Red Sea District.

h. EU NAVFOR has expressed further interest in the provision of liaison officers and this has been encouraged by UKMLO.

YCG TRAINING

5. TI to commence first batch of recruit training (Phase 1) of 150 personnel as of 4 Apr. The course will last until 29 Jul 09, and a second 150 personnel will commence training at a date TBC

after the end of Jul (currently pencilled in as 3 Oct – 3 Mar 10). These will be split; 100 Port Security, and 50 split between the other specializations.

6. The passing out Ceremony was held 24 Mar and was well attended and executed. The ceremony was for those that finished part 1 basic training last year. A number of VIPs attended including the Chairman of the YCG and the UK DA who tried to play bagpipes with the recruits.

7. Instructor training has been put back to 20 Apr due to unforeseen circumstance.

8. YCG Director Development / TOR's, Directives & Policy – This recommenced at the end of last year and the draft law laying down the layout and TOR for each department is almost ready.

9. The French DA informed the meeting that 2 French Naval personnel will provide naval security training to the YCG staff in the port of Belhaf for the month of May.

EXERCISES AND VISITS

10. AL'INDIEN visited Aden and Sana'a the weekend 7-8 Mar. He saw both the Chief of Staff of the Navy and the Chairman of the Coastguard as did the UKMCC also visited 7-8 Mar. The latter also visited the TI and Aden facilities as well as the UK Team in Aden and came away with a very favourable impression.

11. UK PJHQ ACOS J3 Desig and UK MOD ACDS(OPS) visited at the end of Mar. Both had good visits and commented on the value of the current project in improving the Regional Maritime Security of the Region.

12. TAURUS 09 Exercise commences 11 Apr, and will run until 13 Apr with participation from Red Sea and Aden District vessels and staff.

13. The FRENCH Ex will follow on from 14 – 17 Apr taking personnel and YNAV boats up the coast and across to SOCOTRA.

SUPPORTING NATIONS

14. The Supporting Nations were well represented this month with the French, Germans, Italians, Japanese, and UK in attendance. The US were not able to attend due to other commitments and sent their apologies. Disappointingly the Koreans and Malaysians were not in attendance, and is the intention to continue to widen the net for the donor nations.

ANY OTHER BUSINESS

15. The French DA informed the meeting that the new French LO to YCG will arrive for a visit 15-31 May and will arrive permanently in Jul. His name is Cdr Du Catres from the French Navy.

16. The French DA also mentioned that an MOU had been signed between the EU and Kenya with regards to piracy prosecution. The Chairman of the YCG stated that the prosecution locally was to be encouraged. Not only would it be a greater deterrent but would stop convicted pirates once freed after serving their sentence from claiming asylum and trying to remain in the country of prosecution.

17. The French also stated that they might be able to finance the extension of the TI Mechanics classroom out to the width of the current veranda. UKMLO promised to discuss the possibility when down in Aden this week.

18. The German representative stated that the decision was not yet made as to where the 7 pirates that had attacked the German supply vessel would be prosecuted. Again the Chairman stated that it was his wish that local prosecutions should be the way ahead.

19. The Italian representative stated that the Chairman of the YCG would make a trip later in the month to Italy to inspect the Italian training and discuss the Phase 2 VTS scheme. The dates were to be confirmed but would likely be around the 17 Apr for 10 days.

20. The Italian representative also stated that he believed the Italian Coast Guard were keen to conduct further training with the YCG, particularly with regard the VTS and would plan for Jun.

21. The Japanese representative mentioned that the Vice Minister of Foreign Affairs was still keen to come to Yemen in the near future despite a second postponement of his visit.

22. Japan also reported on the deployment of their 2 frigates to the region, and that they had been operating in the Gulf of Aden since 30 Mar. They have plans to base themselves in Djibouti but a visit to Aden was also planned in the near future.

23. Finally the dates for the JICA mission have been finalised. The mission which will be looking at the practicalities of the provision of large patrol boats to the YCG will arrive around the 20 Apr and stay until the end of the month. They will include JICA, Foreign Ministry, JCG and consultants.

NEXT MEETING

24. The date for the next meeting was set as Wed 06 May 09 at the YCG HQ.

CLOSING REMARKS

25. The Chairman stated that he had recently spoken to the Parliament and they were sympathetic about the YCGs financial issues. They appeared to give a commitment to support the YCG in the acquisition of 20m boats, but this has yet to be confirmed.

26. The Chairman also stated that YCG focus at present was on getting the Aden District infrastructure and VTS operational. Any help that could be provided such as the French at Mayun Island or the US at Khour Amerah would be gratefully received.

Signed Electronically

D J S MCKNIGHT
Commander Royal Navy
United Kingdom Maritime Liaison Officer Yemen

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