## INTERNATIONAL MARITIME ORGANIZATION

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To:          All IMO Members
             United Nations and specialized agencies
             Intergovernmental organizations
             Non-governmental organizations in consultative status

Subject:     **Responding to the scourge of piracy**


### Background

At its 104th session in June 2010, the Council decided that the World Maritime Day theme for 2011 should be: "**Piracy: orchestrating the response**".  In so doing, it aimed to not only ensure that the Organization would play its part in all efforts to combat piracy but also, more importantly, to orchestrate, from and among all parties concerned, an effective response to a problem that has blighted the maritime community for too long.

On 3 February 2011, the theme was officially launched at IMO Headquarters by the United Nations Secretary-General, along with the action plan the Organization had devised, in co-operation with industry and seafarer representative organizations, to help achieve the objectives set for the year, and beyond.  The launch brought together representatives of Governments, through the diplomatic community; other UN organizations (WFP and UNODC); naval and military forces; the industry; seafarers and other concerned entities and individuals – all of whom were united in condemning piracy and armed robbery at sea in all their forms.  As the United Nations Secretary-General stressed in his remarks, the current situation is **completely unacceptable** and has become a global menace, which is outpacing the efforts of the international community to stem it – the goal is a sustainable solution.

### Action plan

Through the action plan mentioned above, the Organization aims at maintaining and strengthening its focus on anti-piracy endeavours of all kinds and at facilitating a broader, global effort.  That plan has **six prime objectives** for 2011 and beyond:

1.    to increase pressure at the political level to secure the release of all hostages being held by pirates;

2.    to review and improve the IMO guidelines to Administrations and seafarers and promote compliance with industry best management practices and the recommended preventive, evasive and defensive measures ships should follow;

3.    to promote greater levels of support from, and coordination with, navies;

4.      to promote anti-piracy coordination and co-operation procedures between and among States, regions, organizations and industry;

5.      to assist States to build capacity in piracy-infested regions of the world, and elsewhere, to deter, interdict and bring to justice those who commit acts of piracy and armed robbery against ships; and

6.      to provide care, during the post traumatic period, for those attacked or hijacked by pirates and for their families.

**Current situation**

At the time of writing, 685 seafarers of various nationalities are being held for ransom on board 30 ships under various flags at various locations off the extensive Somali coastline –reflecting a situation, which has progressively worsened over the last 12 months.  Ships are being boarded and seized and seafarers' lives put at risk for prolonged periods of time in an extensive sea area comprising the waters off the coast of Somalia, in the Gulf of Aden and the wider Indian Ocean.

Piracy attacks are becoming more violent and the tactics used by pirates include using hijacked ships as bases ("mother ships") for carrying out further attacks, with their crews remaining on board as "human shields".

Furthermore, recent attacks on ships sailing at far distances from the Somali coast and in areas north and east of the Horn of Africa, which, until now, were considered relatively safe, have made an already complicated issue even more difficult.  These developments make military intervention even more arduous and highlight the emphatic need for ships to take every possible measure to avoid being taken in the first instance.

**Counter measures**

The depth of concern for the problem internationally is amply demonstrated by the levels of co-operation and coordination among naval and other forces from several countries that have assembled in the west Indian Ocean region and the Gulf of Aden to escort ships carrying humanitarian aid to Somalia and to protect vulnerable shipping – the maritime community's appreciation to the supporting countries and those manning the naval vessels and military aircraft deployed in the regions affected is profound.

Notwithstanding this unprecedented effort, the vast sea area in which the pirates now operate makes it difficult to patrol and monitor effectively, particularly with the limited resources available. Member Governments are aware of the limitations of the resources presently available and of the need for more such resources to counter the escalating problem effectively.  To succeed in this, more resources, in the form of naval vessels and aircraft, are needed and the purpose of this Circular is to encourage Member Governments (together with their endeavours at other fora and associations) to make greater efforts to provide the additional naval, aerial surveillance and other resources needed through every means possible.

In conjunction with the shipping industry, the Organization has promulgated advice to ships' crews about how to interact with naval vessels deployed in the region and how to best implement the preventive, evasive and defensive measures recommended by IMO guidance, including the industry-developed best management practices.

It is, therefore, strongly recommended that Member Governments, industry organizations and shipping companies ensure that this information is readily available to ships' masters and is fully, effectively and routinely implemented in areas where there is a risk of pirate attack.  At the same

time, shipmasters, officers and crews are strongly recommended to follow fully the IMO and industry-devised measures throughout their voyages through piracy-infested sea areas. Regrettably, there is disturbing evidence to show that, in too many cases, this advice has either not reached shipping companies or their ships or has not been acted upon.

Naval forces operating in the region off the coast of Somalia have reported that an unacceptably high proportion of the ships transiting the Gulf of Aden are not registered with the Maritime Security Centre Horn of Africa[1]; are not reporting to UKMTO Dubai[2]; show no visible deterrent measures and are not acting upon the navigational warnings to shipping promulgating details of pirate attacks and suspect vessels.

**Failure to implement fully the best management practice guidance significantly increases the risk of successful pirate attacks**.

All those concerned, particularly Administrations, industry representative bodies, seafarer associations, shipowners and companies are, therefore, **strongly urged to take action to ensure that ships' masters receive updated information unfailingly and that all the recommended preventive, evasive and defensive measures are fully and effectively implemented**.

**Long-range identification and tracking of ships (LRIT)**

Pursuant to resolution A.1002(25) on Piracy and armed robbery against ships in waters off the coast of Somalia and, through resolution MSC.298(87), the Maritime Safety Committee has established an information distribution facility (IDF) for the provision of LRIT information to security forces operating in the Gulf of Aden and the Western Indian Ocean to aid their work in the repression of piracy and armed robbery against ships.  NATO and EU NAVFOR are accessing the IDF and have indicated that the data is invaluable to them in helping to build a more accurate picture of the ships operating in the area.  This, in turn, enables them to more effectively and efficiently deploy the limited available naval and military resources, and thus enhance the protection, which they offer to shipping transiting the area.

Because the IDF is not used by all Member States, naval forces do not have a complete picture of ship activity in the area at any given time.  Being, therefore, unaware of the whereabouts of a ship, they are less able to give advance warning of pirate activity, or be able to provide aid, should an incident occur.  The Member States concerned are, therefore, requested to consider using the IDF as soon as possible for the reasons specified above.

**Action required**

Member Governments, industry organizations, seafarer representative bodies and shipmasters are invited, as the case may be:

> .1 to consider participating in the anti-piracy campaign launched by IMO by providing naval, aerial and other resources to join those already deployed in the waters off the coast of Somalia and in the Gulf of Aden;

> .2 to promulgate, as widely as possible, the IMO and industry recommended measures and best management practices;

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[1] www.mschoa.org.

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.3        to provide LRIT information to security forces operating in the Gulf of Aden
          and the Western Indian Ocean;

.4        to register their ships, before entering areas known as piracy affected, with the
          established operational centres; and

.5        while sailing through piracy-infested areas, to comply with and implement the
          measures referred to under (.2) above.[*]

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[*]     Reference is made to:

**IMO's Recommendations**:
MSC/Circulars Nos. 1333, 1334, 1337 (BMP), 1390
Resolutions A.1025(26) and A.1026(26)

**Industry's Recommendations**:
Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area (BMP3)