



Antigua and Barbuda
Maritime Administration

SOLAS Circular
No. 2013 - 003
Rev 1
26 March 2021

SUBJECT: Piracy and Armed Robbery

REFERENCE:

- a) MSC.1/Circ/1406 Rev 3 - *Revised Interim Recommendations for Flag States regarding the use of Privately Contracted Armed Security Personnel on board ships in the High Risk Area.*
- b) MSC.1/Circ. 1339 - *Best Management Practices for Protection against Somalia Based Piracy (BMP).*
- c) MSC.1405 Rev 2 - *Revised interim guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High-Risk Area.*
- d) MSC.1408-Rev 1 - *Revised interim recommendations for Port and Coastal States regarding the use of Privately Contracted Armed Security Personnel on board ships in the High-Risk Area.*
- e) MSC.1334 - *Piracy and armed robbery against ships - Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships.*

TO: Ship-owners, operators, masters and officers of Antigua and Barbuda flagged ships, and recognized organizations.

1. PURPOSE

This Circular provides information on the interpretation and guidance on the regulatory regime and industry best practices, along with the expectations and requirements of the Administration in respect of piracy and armed robbery against ships and their crew.

2. APPLICATION

This Circular applies to all Antigua and Barbuda flagged ships and revokes Information Notice No. 2017-001.

3. BACKGROUND

The threat of piracy and armed robbery at sea against ships and their crew navigating in the Somali Basin, the Gulf of Aden, the Wider Indian Ocean and the Gulf of Guinea remains of serious concern to this Administration. The Administration fully endorses the International Maritime Organization's (IMO) efforts to counteract this and guidance it has provided to contracting Governments, shipowners, ship operators and shipmasters on counter piracy efforts; and is particularly guided by the provisions of *MSC.1/Circ.1406/Rev.3.*

The Administration has provided access to LRIT data from Antigua and Barbuda ships transiting the High-Risk Area (HRA) to European Naval Forces in order to support the United Kingdom Maritime Trade Operations (UKMTO Voluntary Reporting Procedures and to enhance the maritime security forces domain awareness in the HRA.

The Government of Antigua and Barbuda has also signed an agreement with the European Union to allow military Vessel Protection Detachments (VPDs) to board Antigua and Barbuda flagged vessels when they are chartered by the World Food Programme as well as vessels that are particularly vulnerable when transiting the HRA.

4. OBLIGATIONS AND GUIDANCE/RESPONSIBILITIES

1. Piracy in the Somali Basin, Gulf of Aden and the Wider Indian Ocean

1. Best Management Practices (BMP)

1. This Administration endorses MSC.1/Circ.1339 and advises all involved in operating Antigua and Barbuda flagged ships navigating the HRA to, as far as practicable, implement the prescribed anti-piracy measures.
2. Ship operators are asked to instruct their masters, ship security officers and crew to be familiar with the BMP, as revised, and all other relevant IMO Circulars dealing with the issue of piracy.
3. The UKMTO and Maritime Security Centre – Horn of Africa (MSCHOA) are the principal military organizations to be contacted in the Area. All ships are strongly encouraged to inform military organizations of their movement to enhance military situational awareness and their ability to respond to incidents.
4. All ships should, as far as practicable, implement the basic measures that are likely to be effective at reducing the risk of a piracy attack as prescribed in the implementation of Ship Protective Measures (SPMs).

2. UKMTO

1. The UKMTO acts as the primary point of contact for merchant ships and their Company Security Officers (CSOs), providing liaison with military forces in the region. UKMTO offers regular information to ships and a weekly report summarizing the previous week's activity.
2. All ships on entering the UKMTO Voluntary Reporting Area are encouraged to provide reports using the prescribed forms available at www.ukmto.org. Tel: +44 2392 222060.
3. UKMTO is also able to offer Masters and CSOs the opportunity to conduct drills and exercises to support their passage planning in the region. This service can be accessed on the dedicated exercise line +44(0)2392 222060.

3. MSCHOA

1. The MSCHOA is the planning and coordination centre for the EU naval Forces (EU NAVFOR). MSCHOA encourages companies to register their ships' movement before entering the HRA and if participating in the group transit system via their website www.mschoa.org. A downloadable form is also available or one can be requested from postmaster@mschoa.org.
2. The MSCHOA Vessel Registration Area is highlighted on the UKHO Chart Q6099.

4. Employment of Armed Security Personnel

1. While the laws of Antigua and Barbuda do not explicitly prohibit the employment of Privately Contracted Armed Security Personnel (PCASP) on board Antigua and Barbuda flagged ships, the Administration supports the IMO's position that the use of PCASP should not be considered as an alternative to best management practices and other protective measures.
2. Further, the Administration also recognises that ship owners, ship operators and ship masters have the right, and the responsibility, to take or execute any decision which is necessary for the safety and security of the vessel and its crew.
3. The Administration recommends that shipowners should only consider the option of placing armed guards (PCASP) on board if a risk assessment indicates that this is the best way to ensure the safety of the seafarers on board the ship. In conducting the risk assessment ship owners, ship operators and ship masters may wish to refer to either of the following sources for valuable intelligence on pirate activities, in addition to the Useful Contacts as outlined in Annex A of BMP:
 1. US. Navy, Office of Naval Intelligence Worldwide Threat to Shipping (WTS) Reports – Appendix A: *Piracy and Armed robbery at Sea Statistics and Trends* at www.oni.navy.mil
 2. The International Maritime Bureau (IMB) Piracy Report Center at www.icc-ccs.org
4. In choosing a contractor to provide PCASP, ship operators should be guided by the provisions of MSC.1405/Rev.2 entitled: "*Revised interim guidance to shipowners, ship operators, and shipmasters on the use of privately contracted armed security personnel on board ships in the high risk area*". The use of firearms on vessels carrying dangerous cargoes should also be given special consideration with appropriate mitigating measures identified and established.

5. Ship operators and ship masters should also take note of *MSC.1/Circ.1408-Rev1 on the Revised interim recommendations to port and coastal States regarding the use of Privately Contracted Armed Security Personnel on board ships in the High-Risk Area*. This document provides guidance and information on the responses of coastal and port states to the carriage of PCASP on ships in the area.
6. It is incumbent on the ship owner/operator to ensure that PCASP are given the same safety protection as the crew, therefore sufficient Life Saving Appliances (LSA) should be provided for all persons on board. In case of any shortfall in lifeboat capacity for the total number of persons on board when the PCASP are on board, an application should be made to the Administration in good time explaining the circumstances for the consideration of applicable Temporary permission.

5. Command and Control of PCASPs

1. All ship owners/operators should, when entering into a contract with a Private Maritime Security Company (PMSC), ensure that there is a clearly defined and documented command and control structure linking the ship owner/operator, the Master, the ship's officers, and the PCASP team leader. It is recommended that documented procedures be established and implemented on board to cover safety briefings to the PCASP and secured measures for the stowage of firearms.
2. The documented command and control structure should have a clear statement that indicates that the Master remains in command and retains the overriding authority at all times.
3. The master on board an Antigua and Barbuda flagged ship should also report the presence of PCASP, firearms and security related equipment embarked on board when reporting in to MSCHOA and UKMTO.

2. Piracy in the Gulf of Guinea

1. Best Management Practices

1. This Administration endorses the ***Best Management Practices to Deter Piracy and Enhance Maritime Security off the Coast of West Africa including the Gulf of Guinea, (BMP-West Africa)***, and advises all involved in operating Antigua and Barbuda flagged ships navigating the HRA to, as far as practicable, implement the prescribed anti-piracy measures.
2. Ship operators are asked to instruct their masters, ship security officers and crew to be familiar with the BMP West Africa, as revised, in order to access the services provided.

2. Maritime Domain Awareness for Trade - Gulf of Guinea

1. The *Maritime Domain Awareness for Trade – Gulf of Guinea* (MDAT-GoG) is a cooperation centre between the Royal Navy (UKMTO) and the French Navy (MICA-Center) in support of the Yaounde Process.

2. MDAT-GoG is designed to contribute to maritime safety and security in the Gulf of Guinea and aims to maintain coherent maritime situational awareness in the central and western African Maritime areas, with the ability to inform and support the industry.
3. The MDAT-GOG has a voluntary reporting scheme and Masters and Owners are strongly encouraged to report to MDAT-GOG when within the Voluntary Reporting Area (VAR). In so doing they will receive updates on activity within the area and improve the military situational awareness and their ability to respond in the event of an incident.
4. MDAT-GOG can be contacted at watchkeepers@mdat-gog.org or telephone at +33(0)2 98 228888 and offers regular information to ships on its website <http://gog-mdat.org>. Additional information on threats and specific recommendations for vessels can be accessed on the NATO Shipping Website at <http://shipping.nato.int/nsc/operations/global-maritime-risk/west-africa-gulf-of-guinea>.
5. MDAT-GOG can offer Masters and CSOs the opportunity to conduct drills and exercises to support their passage planning in the region. This service can be accessed on the dedicated exercise line +33 298 221302.

3. The Use of Armed Guards – Gulf of Guinea

1. Due regard should be taken in the employment of PCASP in the Gulf of Guinea as they are normally prohibited from operating within the territorial waters of the coastal states in the region. Current information suggests that some coastal states can make available armed escort vessels while others may permit certain companies to employ government police and military personnel onboard private escort vessels. Private teams may not be possible in this area.
2. A ship operator who wishes to embark an armed team in the Gulf of Guinea area should check local requirements carefully. The Administration will support owners as far as possible, and any application to permit armed teams should be made early and with as much information as possible.

4. Flag State Reporting Requirements.

1. Ship owners and ship operators are, as soon as practicable, to provide a report on all incidents of piracy attacks on Antigua and Barbuda ships to this Administration in accordance with Flag State Notification Procedures as set out in Miscellaneous Circular 2012-002.

Issued by

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