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PIRACY AND ARMED ROBBERY AGAINST SHIPS

Review of the High-Risk Area for piracy in the Indian Ocean

Submitted by ICS, BIMCO, OCIMF, INTERTANKO and INTERCARGO

SUMMARY

Executive summary: This document informs the Committee of the decisions related to the review and revision of the High-Risk Area (HRA) which is an area within the UKMTO designated Voluntary Reporting Area (VRA)

Strategic direction, if applicable: 5

Output: 5.4

Action to be taken: Paragraph 16

Related document: MSC 100/20

Introduction

1 This document reports on the discussions, deliberation, research and decisions resulting from the review and revision of the High-Risk Area (HRA) which is an area within the UKMTO designated Voluntary Reporting Area (VRA).

2 The review was conducted by ICS, BIMCO, OCIMF, INTERTANKO and INTERCARGO over a period of months by correspondence and face-to-face meetings culminating on 10 January 2019. Following this intra-secretariat meeting, consultations were then sought with interested States and other organizations.

3 The decision taken following these discussions is to amend the geographic boundaries of the HRA and so reduce the area to better reflect the threat of piracy in the region whilst retaining the primary objective to ensure the safety and security of seafarers.

Task

4 The task of the group was to use the best available multi-source information on the intent of pirates to attack ships and their capability to do so; assess the threat to seafarers and

shipping; and, consequently, conduct a review of the geographical limits of the existing High Risk Area in the Indian Ocean.

Methodology

5 The methodology used to assess the pirate capabilities to deploy at range from the Somali coast included considering the maximum radius of operation of unsupported pirate operations. Unsupported in this context means a skiff operating from the coast of Somalia without mothership support and includes distance out and back as well as sufficient fuel to search and loiter awaiting a target vessel.

6 Whilst the capability to act is of great importance, a related aspect is the intent of pirates to conduct pirate operations. For this, subject matter experts (SMEs) with direct and on the ground experience of operating in Somalia as well as the best regional intelligence such as that published in Industry Releasable Threat Assessments (IRTA) and Industry Releasable Threat Bulletins produced by EUNAVFOR and advice produced by Combined Maritime Forces and UKMTO were used.

7 Whilst determining the maximum area of pirate operation, the group was cognisant of the message a reduction in the area will send to the pirate leadership, funders, kingpins and others. In determining the threat of piracy, both the intent of the pirates to pirate ships as well as the capabilities of the regional and international navies' abilities to mitigate and prevent attacks were taken into account.

8 The group overlaid and compared the location of all attacks in the previous five years in the region.

9 A key aspect, and the one that was paramount, was to ensure the safety of seafarers was not compromised.

Sources of information

10 The industry consulted widely and took account of multiple sources of information which included:

- .1 IMO GISIS database;
- .2 MSC.4 circulars;
- .3 published military information;
- .4 regional State information;
- .5 commercially available data;
- .6 SMEs; and
- .7 feedback from shipping companies.

Assessment conclusions

11 Multi-source information suggested the unsupported range of a pirate skiff was stated as approximately 400 nautical miles from the coast of Somalia:

- .1 In the last five years (2018-2013), no pirate attacks have occurred at a distance greater than 400 nautical miles from the coast of Somalia.
- .2 Pirate attacks have occurred within the fan area of the Gulf of Aden (last attack **Kriti Spirit** 31 March 2018) and at distance from Somalia within the Somali basin (last attack **KSL Sydney** 16 October 2018).
- .3 Numerous suspicious approaches have occurred in the southern Red Sea and several ships have been fired upon.
- .4 No attacks have occurred within the vicinity of the current southern limit of the HRA.
- .5 Consultations with UN bodies operating in Somalia, and from the military issued IRTA, present a firm belief that pirates continue to retain both the intent and capability to act.
- .6 The HRA continues to serve an important reference in ensuring ships and seafarers are prepared for pirate attacks.
- .7 International shipping continues to apply the self-protection measures described in the best management practices to remove the opportunity to pirate ships.
- .8 International navies are visibly present in the region and provide a significant deterrent effect.
- .9 Somalian coastguard, whilst developing its capability, is able to provide security in certain areas but is not yet capable to operate at distance.
- .10 Other regional States have effective coastguards which are able to effectively police territorial waters but their effectiveness is degraded when operating further from the coast.
- .11 Despite the presence of the military, the numbers of naval assets cannot provide 100% security due to vast distances and geographical area.

Outcome

- 12 Following detailed and comprehensive discussions, the co-sponsors agreed that:
 - .1 Taking into account the proven ability of pirates to adapt their tactics, 400 nautical miles from the coast was assessed as insufficient to ensure the safety of seafarers and ships. Industry organizations have proposed an additional safety factor of 100 nautical miles should be applied.
 - .2 Taking into account the capabilities of the regional coastguards and navies operating the area, 500 nautical miles would be excessive in the southern part of the area.
 - .3 The HRA does not infringe on the territorial waters of any State except for Somalia.

- .4 The review group recognized the term "HRA" could be changed to better reflect the area which informs about the threat of pirate attack rather than risk of piracy as this risk is different for each ship and voyage, but chose to maintain the title "HRA" at this time.

HRA adjustment

- 13 The new coordinates of the HRA are:
In the Southern Red Sea: Northern Limit: Latitude 15° 00'N

In the Indian Ocean a line linking from the territorial waters off the coast of east Africa at Latitude 05° 00'S to 050° 00'E

Then to positions:

Lat: 00° 00'N
Long: 055° 00'E

Lat: 10° 00'N
Long: 060° 00'E

Lat: 14° 00'N
Long: 060° 00'E

Then a bearing 310° to the territorial waters of the Arabian Peninsula.

- 14 The changes will be implemented on 1 May 2019.

Ongoing review and monitoring

15 Industry organizations recognize regional maritime threats are dynamic. Pirate groups have previously noted changes to the HRA and adjusted their tactics to take advantage of change and the industry will monitor any changes in their operations. Additionally, the implementation of self-protection measures by the industry will also be monitored. If there is a significant change in the application of self-protection measures or an upsurge in pirate activity, then the geographical limits will need to be reviewed. The industry will continue to work with the regional stakeholders including coastal States and military authorities.

Action requested of the Committee

- 16 The Committee is invited to note the information given and take action as appropriate.