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## PIRACY AND ARMED ROBBERY AGAINST SHIPS

### Security in the Gulf of Guinea

Submitted by ICS, BIMCO, OCIMF, INTERTANKO and INTERCARGO

#### SUMMARY

*Executive summary:* This document highlights the concerns for the security and safety of seafarers serving in the Gulf of Guinea, outlines the steps being undertaken by the industry and suggests additional steps that could be considered to protect seafarers in the Gulf of Guinea. Finally, it calls for the formation of a working group on maritime security to allow all stakeholders the ability to outline their plans and to ascertain the best steps forward to assure seafarer safety.

*Strategic direction,  
if applicable:* 5

*Output:* 5.4

*Action to be taken:* Paragraph 16

*Related documents:* MSC-MEPC.1/Circ.5/Rev.1; MSC 100/14/1 and MSC 101/24

#### Introduction

1 Security in the maritime sphere of the Gulf of Guinea is not only essential for the preservation of the lives of seafarers, but also will allow the region greater economic development. This document highlights concerns for the security and safety of seafarers serving in the Gulf of Guinea, outlines the steps being undertaken by the industry and suggests additional steps that could be taken to protect seafarers in the Gulf of Guinea.

#### Security in the Gulf of Guinea

2 The level of insecurity in the Gulf of Guinea described in MSC 101/18/4 is worsening. Seafarers unfortunately face the routine risk of being attacked by pirates and subject to armed robbery, and the mass kidnap incidents represent a new and dangerous trend. Due to

under-reporting of incidents, estimated by IMB to be as much as 30% of incidents, the GISIS database and the reports to IMO do not give the full picture. From research undertaken by the industry and feedback from operators, ships were subject to over 100 attacks in 2019. These attacks have ranged from small-scale thefts in ports to mass kidnapping incidents. In one mass kidnapping incident, the whole crew, bar one cadet, was kidnapped and taken ashore and held in captivity under horrendous conditions. In total 121 seafarers were kidnapped and at least 2 seafarers died in captivity in 2019. The majority of the attacks occurred within the eastern portion of the Gulf of Guinea. However, attacks have occurred all over the area with one attack taking place some 203 nautical miles off the coast. Some of the attacks occurring at distance have been facilitated using motherships.

3 Seafarers and the shipping industry remain gravely concerned by the deteriorating security situation and call upon all stakeholders to take this into account.

### **Shipping industry activity**

4 As reported in MSC 100/14/1, the shipping industry developed comprehensive guidance to companies, masters and seafarers on protective measures that should be applied when operating in the region. As experience was gained, the decision was taken to rewrite the regional guidance and publish it as the *Best Management Practices West Africa* (BMP WA).

5 The self-protection measures contained in the regional guidance and the BMP WA are being applied along with the hardening of the vessel. Additionally, ships are undertaking timed arrival following a period of waiting at great distance offshore, rather than drifting close to shore.

6 Another temporary protection measure is to hire armed escort vessels from private maritime security companies approved by local military forces. Whether their training, skills and equipment are adequate have been under close monitoring. One incident in 2019 resulted in the deaths of four armed guards deployed to protect a vessel when the vessel was attacked by pirates.

7 The industry cannot use private armed security teams in the Gulf of Guinea in the same manner that proved effective in the Indian Ocean. The legal landscape in the Gulf of Guinea is significantly different to the Indian Ocean and solutions from there cannot be easily applied, further restricting shipowners' options. Furthermore, the persistence and aggression of attackers in the region heightens the risk to shipboard personnel. Therefore, shipowners are unable to apply active self-protection measures and so are entirely reliant on States' law enforcement and militaries for their security.

### **Regional activity**

8 The industry welcomes the steps being taken by the region and in particular by Nigeria. For example, Nigeria is investing heavily in anti-piracy forces through their Deep Blue Project which is applauded. Additionally, the adoption by Nigeria of the Suppression of Piracy and other Maritime Offences Bill 2019, is very welcomed as this should make the prosecution of pirates a practical proposition.

9 The provision of secure anchorages and vessel protection detachments from countries in the region is also welcomed and demonstrates that States have the will and capability to secure their maritime interests.

10 In the realm of the regional activity, the work of the reporting centre Maritime Domain Awareness for Trade – Gulf of Guinea (MDAT-GoG) is seen as a positive development. This centre, developed as a cooperation centre between the UK and French navies in support of the Yaoundé Process, has been in operation since 20 June 2016. Industry looks forward to the centre further developing its services.

11 The Friends of the Gulf of Guinea (FOGG) has been in place for some years and the meetings have proved to be a useful venue for detailed discussions, however, the FOGG strategy appears to be long term and offers little to address immediate concerns. The discussions at MSC 102 should feed into the FOGG meeting.

12 The industry notes and welcomes all the steps taken in the region of which the ones above are only a small percentage.

### **Suggested additional responses**

13 While very much welcoming the above responses, the co-sponsors would suggest that there are a number of additional steps that could be taken to demonstrate to seafarers the resolve and intent to improve the security situation. A series of examples are listed below:

- .1 Strengthened law enforcement and harmonization of punishment across coastal States, with the aim to arrest and prosecute pirates. So far, no individual has been prosecuted for piracy offences in the region. This may well be because of the lack of specific laws in the region.
- .2 Strengthened governance of commercially available protection solutions such as security escort vessels and of maritime law enforcement agencies is of great importance to shipowners and seafarers. The lack of transparency hampers due diligence being undertaken by the industry and occasionally results in security escort vessels of poor quality.
- .3 The development of cooperative mechanisms for regional navies to patrol the region.
- .4 Many stakeholders have raised the possibility of naval vessels from other countries operating in the exclusive economic zones of others. This issue could be explored further.
- .5 Incident reporting and analysis is of the utmost importance and this should be encouraged and welcomed by all. Such reporting would facilitate the production of threat assessments which would be of use to seafarers.
- .6 Regular updates to the Organization of relevant indicators based upon an agreed timeline would provide the platform to show progress made and counter the negative image that nothing is being done.

14 The FOGG is a key group working in the region; however, IMO is the global organization and this is an issue for the world's seafarers and IMO possesses competence on this issue. IMO has an obvious and key role in the implementation of plans to ensure that seafarers can work safely. To assist in this the co-sponsors suggest a group be convened during MSC 102 to consider the insecurity in the region, allow regional States to outline the plans that they are undertaking to resolve the situation and provide an environment in which pragmatic and sensible solutions can be discussed in a spirit of cooperation with discussions focused upon paragraph 13. In the event that all the existing three working group slots have

been filled, the co-sponsors suggest the formation of a technical or other such group as outlined in paragraph 5.25 of MSC-MEPC.1/Circ.5/Rev.1 due to the necessity and urgency of the issue.

### **Conclusion**

15 The international and regional community should assist in re-establishing a secure maritime environment in the region, where seafarers can safely conduct their business and maintain the flow of global trade free from the threat of attack and kidnap. This is an issue for the world and one where the region can demonstrate their solutions with support from all stakeholders.

### **Action requested of the Committee**

16 The Committee is invited to note the proactive steps being taken by all stakeholders and the proposal in paragraph 14 to convene a working group comprised of all stakeholders to discuss the issues in a spirit of pragmatic cooperation.

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