



18TH ASIAN SHIPOWNERS FORUM

Safe Navigation & Environment Committee

**REPORT BY
COMMITTEE CHAIRMAN
Mr S. S. Teo**

**Tainan, Taiwan
26 May 2009**

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Asian Shipowners Forum

Safe Navigation & Environment Committee (SNEC)

c/o Federation of ASEAN Shipowners' Associations (FASA)
59 Tras Street 078998
Tel: (65) 62225238 Fax: (65) 62225527
email: fasa@pacific.net.sg

PROGRESS REPORT

1. The 15th and 16th Interim Meetings of the ASF Safe Navigation & Environment Committee (SNEC) meeting were held on 15 September 2008 and 17 March 2009 in Singapore. It was hosted by the Singapore Shipping Association on behalf of the Federation of ASEAN Shipowners' Associations. Representatives of shipowners associations from China, Hong Kong, Japan, Korea, Chinese Taipei and ASEAN attended the meeting. A representative from the Indian National Shipowners Association also attended the meeting as an observer at the 16th SNEC meeting.

The ASF Secretary General, Mr Wang Cheng was in attendance at both meetings.

2. The Joint Press Releases and lists of the delegates who attended the meeting are attached as **Annex 1**.
3. A list of the ASF Members in the current SNEC is attached as **Annex 2**.
4. During both 15th and 16th SNEC meetings, the most recent developments relating to safe navigation and marine environment were discussed.

Provided below is a summary of the issues discussed.

A) PIRACY & ARMED ROBBERY

a. Piracy in the Asian Region

Based on the 2008 annual report of the **ReCAAP Information Sharing Centre (ISC)**, the incidence of piracy and armed robbery in Asia had **declined** by 4 cases from 100 cases in 2007 to 96 cases in 2008. A summary of the ReCaap 2008 report is attached as **Annex 3**

Of the 96 cases reported, 63 occurred while ships were berthed or anchored, while 33 occurred while ships were under way. More than 80% of the incidents involving ships at anchor/berth, however, took place at ports and anchorages of Bangladesh, India, Indonesia and Vietnam. One – third of the incidents that were under way occurred in the Straits of Malacca and Singapore.

Using the ISC categorization of the incidents, there were 4 Category 1 (Very Significant) cases, 21 Category 2 (Moderately Significant) cases and 58 Category 3 (Less Significant) cases.

Tankers were found to be more susceptible to attack than other types of ships, with 32 of the 96 incidents reported involving tankers.

b. Worldwide Piracy Report

Based on the **IMB Annual Report 2008** on Piracy and Armed Robbery, the number of attacks around the world had **increased** by 11.4% from 263 incidents in 2007 to 293 incidents in 2008. Of the 263 incidents, 200 incidents saw successful boardings whilst 93 did not succeed.

A summary of the IMB 2008 Annual Report is attached as **Annex 4**

Of the 200 successful boardings, 112 incidents took place whilst the ships were berthed or anchored in port waters. The remaining 87 attacks took place whilst the ships were steaming.

For the 93 unsuccessful attempts, 11 were attempted whilst the ships were berthed or anchored whereas 82 were attempted whilst the ships were steaming.

The number of crew taken hostage had also increased very significantly by 204.5% from 292 in 2007 to 889 in 2008.

In terms of region, attacks in the African region ranked highest with 189 attacks, South – East Asia ranked second with 65 attacks and the Indian Sub-Continent ranked third with 23 attacks. The number of attacks in South East Asia continues to show a steady downward trend, accounting for 22.25 of the world's total in 2008 as compared with 28.5% in 2007. In contrast, the number of attacks in Africa continued to show an upward trend, accounting for 64.5% of the world's total in 2008 as compared with 45.6% in 2007.

The IMB reported 49 hijack incidents in 2008. Of the 49 hijacks, 42 vessels were hijacked by Somali pirates.

c. UN Security Council Actions

The rapidly deteriorating piracy situation in the Gulf of Aden off the coast of Somalia had prompted urgent call by the IMO to the United Nations to take strong actions to suppress the pirates. At least 4 UN Security Council resolutions were passed to allow states cooperating with Somalia to enter its territorial waters in order to repress acts of piracy and armed robbery “by all necessary means” Another resolution that was passed also calls on all states interest in the security of maritime activities to deploy naval vessels and military aircraft to fight piracy on the high seas off the coast of Somalia.

And in recent months, NATO, the European Union, the US, as well as countries such as China, India, Malaysia and Russia, have contributed to anti-

piracy efforts in the Gulf of Aden. Other countries, including Japan, Singapore and Turkey, have announced their intention to send naval vessels.

d. EU Navfor Atalanta

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 help safeguard merchant shipping in the region.

In support of EU NAVFOR, the EU has also established the Maritime Security Centre – Horn of Africa (MSCHOA). The MSCHOA aims to provide a service to mariners in the Gulf of Aden, the Somali Basin and off the Horn of Africa, and will serve as a Coordination Centre dedicated to safeguarding legitimate freedom of navigation in the light of increasing risks of pirate attack against merchant shipping in the region, in support of the UN Security Council's Resolutions (UNSCR) 1814, 1816 and 1838.

Both MSCHOA and the Naval Task Group are based at Northwood, United Kingdom.

The Centre, which is manned by military and merchant navy personnel from several countries, will then coordinate with a range of military forces operating in the region to provide support and protection to mariners. To do this effectively, MSCHOA needs to know about merchant vessels approaching, transiting or operating in the region.

As such, all ASF members have been invited to register with the MSCHOA website at: <http://www.mschoa.org>

e. United States

The Combined Maritime Forces (CMF) has established Combined Task Force 151 (CTF-151) specifically for counter-piracy operations.

The establishment of CTF-151 will allow CTF-150 assets to remain focused on the conduct of Maritime Security Operations in the Gulf of Aden, the Gulf of Oman, the Arabian Sea, Red Sea and the Indian Ocean, giving CTF-151 the ability to focus solely on the counter-piracy mission.

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

In an effort to counter piracy in the Gulf of Aden and off the Coast of Somalia, these best management practices are supported by international industry representatives.

A copy of this Best Management Practices is attached as **Annex 5**

In light of the current economic conditions, there were concerns that there might be an accompanying surge in the number of attempts at piracy and armed robbery against ships in the region. In this respect, the SNEC advised all industry and government stakeholders to maintain their continued vigilance and to adhere to the best management practices to deter piracy and armed robbery.

With regard to the deteriorating situation in the Gulf of Aden off the coast of Somalia, all ASF members were requested to abide by the advisories and guidance given by the MSCHOA in relation to timing and coordinates for vessels transiting the Gulf of Aden.

ASF members whose ships transit or trade through the Gulf of Aden were urged to encourage their governments to deploy their naval and air assets to the Gulf of Aden to beef up the multinational task force that are already conducting counter-piracy operations in and around the Gulf of Aden, Arabian Sea, Indian Ocean and the Red Sea.

B) ENHANCEMENT OF SAFETY, SECURITY AND ENVIRONMENTAL PROTECTION IN THE STRAITS OF MALACCA AND SINGAPORE

The Nippon Foundation, supported by the round table of international shipowners associations, namely ICS/ISF, BIMCO, INTERTANKO and INTERCARGO held a Malacca – Singapore Straits Symposium in Kuala Lumpur on 24 November 2008.

The Symposium discussed the current developments that are taking place in support of the safety of navigation and protection of the marine environment in the Straits of Malacca and Singapore.

The Committee continued to give its strong support to the Cooperative Mechanism. The Members are urged to participate actively in the Cooperation Forum, the 2nd of which will be hosted by Singapore this year. The date for the meeting has not been fixed.

C) Long Range Identification and Tracking of Ships (LRIT)

SOLAS Regulation V/19 – 1 on Long Range Identification and Tracking (LRIT) entered into force on 1 January 2008 and will apply to ships constructed on or after 31 December 2008 with a phased implementation schedule for ships constructed before 31 December 2008. The LRIT system is intended to be operational with respect to the transmission of LRIT information by ships from 30 December 2008.

The US has already passed a Rule Making that is based upon the agreed date. This means that any ship, wishing to trade with the US after 31 December 2008, will have to meet the functional requirements of LRIT.

Extensive discussion on the LRIT related matters however took place at the IMO Maritime Safety Committee 85th Session on 26 Nov – 5 Dec 2008.

During that meeting, it was noted that some flag States had been diligent in complying with the requirements of the LRIT system. Concern was however expressed regarding the system's introduction and particularly regarding equipment conformance tests.

At that time, the MSC recognized that there was only one month left to implement the LRIT mandatory requirement for ships and yet a number of significant issues remained unresolved. It was agreed to develop transitional LRIT arrangements to apply following system implementation on 31 December 2008. The transitional arrangements will apply for six months until 30 June 2009.

The USA, amongst other delegations, advised that following 30 June 2009 their Port State Control (PSC) officers would apply the LRIT system in full. Such application would include the use of sanctions including the detention of ships sailing under the flag of an Administration not compliant with the system.

At the Meeting, the ICS advised that imposing sanctions against shipping for non-compliance with LRIT measures that were the responsibility of Administrations but beyond the control of ships would be inappropriate and unacceptable.

The MSC agreed that a MSC Circular (MSC.1/Circ.1299) covering the transitional arrangements and advising that ships should be considered compliant with the LRIT system requirements providing that they had met with the necessary requirements.

During the transitional period, to avoid sanctions being imposed by PSC control, ships should:

- Ensure that a valid Conformance test report is carried onboard.
- Ensure that the record of equipment is amended to indicate compliance with the requirement to transmit LRIT information.

SNEC Members were requested to note that during the transitional period, action by Administrations as indicated above will be acceptable. Following 30 June 2009 however full compliance with LRIT system requirements will be necessary to avoid ships being considered non-compliant by PSC.

SNEC Members were advised to communicate with their Administration to ensure that the Administration is compliant with the transitional LRIT arrangements so that a Valid Conformance Test report can be obtained.

D) Human Element in Navigation Safety

The Malaysia Shipowners Association (MASA) made a presentation on this subject at the 17th SNEC in Hainan, China on 4 June 2008.

Following the presentation, MASA agreed to refine their paper and let the ASF evaluate it before it is recommended to the national administration for discussion at the IMO meeting.

E) Safe Transport Of Containers By Sea– Guidelines on Best Practices

With container industry's inputs, the International Chamber of Shipping has published the Best Practices Guidelines for Safe Transport of Containers By Sea.

This is in response to recent incidents involving containerships namely "Annabella" and "MSC Napoli" which highlighted such problems as incorrect packing and misdeclaration of weights by other parties in the transport chain, as well as issues directly relevant to containership operators, shipping agents, freight forwarders, ports and terminal operators and in particular, the Shippers from whom the cargo originates. All of these players have important responsibilities which are addressed by these new industry Guidelines

ASF members in the container line business may wish to obtain copies of this publication directly from the ICS Marisec Publications at a price of UK Stg Pds 80.

Container lines are urged to encourage widespread compliance of the guidelines by all parties in the transport chain, in particular among the members of the shippers community.

F) Goal Based Standards and Common Structural Rules

At the IMO Maritime Safety Committee (MSC) 85th Session held last December, considerable discussions took place regarding the works conducted by the GBS Working Group (GBS WG).

The draft amendments to the SOLAS Convention for the implementation of new 'Goal Based Standards' for the construction of bulk carriers and oil tankers of 150 m or over in length, as well as draft Guidelines for the verification of compliance to be undertaken by flag states were presented by the GBS WG.

Important conclusions were reached on technical issues such as the definition of 'net scantlings'.

Following intense plenary debate during the consideration of the WG report, it was agreed that the MSC would not proceed with approval of the draft SOLAS amendments and the associated draft resolution at the 85th Session. This was because the final methodology for rule verification and the means of making available the financial resources necessary for the verification process had yet to be determined. Agreement of the SOLAS amendments was therefore postponed to allow completion of the outstanding items. It is to be noted that there was tacit agreement that the draft SOLAS amendments were to be taken as final and that no further discussion would be welcomed.

Following years of discussions as to how shipbuilding standards can be further improved, Asian shipowners are to note that the final package of measures would be adopted this year possibly at the MSC 86th Session.

It should be further noted that MSC 85, due to time constraints, had not been able to consider the possible need for amendments to other IMO instruments following the finalization of the GBS for bulk carriers and oil tankers.

MSC 85 therefore instructed the GBS Correspondence Group, that was formed at MSC 84, to continue developing the generic guidelines for developing goal – based standards, the development of a plan to validate the results from the safety level concept and the consideration of the long – term implementation of GBS with a view to them been approved together with the SOLAS amendments at MSC 86.

G) MARPOL ANNEX VI & GREEN HOUSE GASES

a. MARPOL Annex VI

The agreed text for the revised MARPOL Annex VI relating to phasing out of SO_x and the NO_x Technical Code was adopted at the MEPC 58th Session on 6 – 10 October 2008.

The revised Annex VI, and the associated NO_x Technical Code, will enter into force on 1 July 2010, under the tacit acceptance amendment procedure.

b. Green House Gases from ships

At MEPC 58, the MEPC maintained their focus on the CO₂ reduction framework. It made substantive progress in developing technical and operational measures to address such emissions, including the development of:

1. an energy efficiency design index (EEDI) for new ships

2. an energy efficiency operational index (EEOI),
3. a Ship Efficiency Management Plan(SEMP) suitable for all ships; and
4. a voluntary code on best practice in energy efficient ship operations.

In addition to the various operational and technical measures, there was also a dedicated session on market-based instruments (MBI).

Some of these MBI measures include Emission Trading Schemes and a Compensation Fund. It also discussed the application of measures - in particular whether such measures should be mandatory or voluntary for all states.

Further work on the limitation and reduction of GHGs from ships continued at a GHG - Intersessional Working Group meeting on 9 – 13 March 2009, for presentation to the MEPC 59 in July 2009.

At the GHG – IWG meeting, the main developments may be summarised as follows:

1. **Energy Efficiency Design Index (EEDI)**

The following discussion points shaped the debate:

- a. That further work was needed to improve the current formula,
- b. That IMO's focus should first be on the large ship segments already within the scope of the draft EEDI and thereafter, may be expanded to other ship types that would need conceptually different approaches; and,
- c. Short-sea shipping has several special characteristics not directly comparable with trans-ocean shipping and competes mainly with land-based transport systems.

It was agreed to retain the concept of the EEDI formula but to recognise that the current EEDI may not be capable of application to diesel-electric, turbine or hybrid propulsion systems.

2. **Energy Efficiency Operational Indicator (EEOI)**

Most participants in the discussion were contented with the EEOI to be described as a voluntary measure, but papers from Japan and USA made clear their aspirations for mandatory application through a mechanism not yet clearly identified.

The application of GHG reduction measures was not within the terms of reference of the working group but initial discussion has revealed that this is likely to be a point of contention at MEPC 59.

The rolling average version of the EEOI gained support as an appropriate mechanism for assessing ship efficiency performance.

It seemed to become generally accepted that the EEOI would work best if maximum flexibility was granted to ship owners and operators to decide on the appropriate parameters and methodology.

3. Ship Efficiency Management Plan (SEMP)

There was little discussion and the working group agreed to forward the SEMP to MEPC 59 for consideration as voluntary guidance.

4. Possible Impacts of GHG Measures on the Shipping Sector

No papers were submitted under this agenda item and there was virtually no discussion. An invitation was issued for submissions to be made to MEPC 59.

MEPC 59 should be expected to finalise text for adoption on the mandatory EEDI and to provide guidance on the EEOI and SEMP. In this respect, this will be the final opportunity to address any concerns or misgivings that are held over these approaches to GHG reduction.

H) BALLAST WATER MANAGEMENT

As of 31 January 2009, there are **17 signatories** to the BWM Convention representing **15.35%** world tonnage as follows:

Antigua & Barbuda, Barbados, Egypt, Kenya, Kiribati, Liberia, Maldives, Mexico, Nigeria, Norway, St. Kitts & Nevis, Sierra Leone, South Africa, Spain, Syrian Arab Republic and Tuvalu.

This represents a significant step toward the required entry into force criteria of **30** countries representing **35%** of world tonnage.

During MEPC 58 held on 6 – 10 October 2008, the Committee adopted Guidelines for approval of ballast water management systems (G8) and ballast water sampling (G2). With these two Guidelines, it brings to a total package of 14 Guidelines that would assist in the effective implementation of the BWM Convention. One final set of guidelines, on port State Control, is being developed by IMO's Sub-Committee on Flag State Implementation and is to be adopted before the Convention's entry into force.

The MEPC also approved the Guidance document on arrangements for responding to emergency situations involving ballast water.

MEPC 58 also approved two ballast water systems that make use of active substances, bringing to four the total number of systems having received final approval to date. Meanwhile, there is still a real concern that insufficient ballast water treatment equipment will be available to meet the carriage requirement in the Convention.

List of ballast water management systems that make use of Active Substances which received Final Approval			
	Name of the system and proposing country	Name of manufacturer	Date of Final Approval
1	PureBallast System, Norway	Alfa Laval / Wallenius Water AB	13 July 2007
2	SEDNA® Ballast Water Management System (Using Peraclean® Ocean), Germany	Degussa GmbH, Germany	4 April 2008
3	Electro-Cleen™ System, the Republic of Korea	Techcross Ltd. and Korea Ocean Research and Development Institute (KORD)	10 October 2008
4	OceanSaver® Ballast Water Management System (OS BWMS), Norway	MetaFil AS	10 October 2008

*More comprehensive information regarding these systems is available in document BWM.2/Circ.16.

In view that the fleet size and the number of States which ratify the BWM Convention is still far short of the entry into force requirement for the Convention, the Committee noted the above information whilst waiting for the most viable and economical BWMS to be available.

I) International Convention on the control of Harmful Anti - Fouling Systems on Ships (AFS Convention)

The Committee noted that the International Convention on the control of Harmful Anti-fouling Systems on Ships (AFS Convention) banning the use of organotins and other harmful substances in anti-fouling paints applied on ships' hulls, entered into force on 17 September 2008.

Under the Convention, ships are not permitted to apply or re-apply organotin compounds which act as biocides in their anti-fouling systems; ships either shall not carry such compounds on their hulls or external parts or surface or, in the case of ships that already carry such compounds on their hull, will have to apply a coating that forms a barrier to prevent them leaching from the underlying non-compliant anti – fouling system.

The Convention also establishes a mechanism to evaluate and assess other anti-fouling systems and to prevent the potential future use of other harmful substances in these systems.

Shipowners should comply with this Convention, and if not, they would be subject to port State control actions.

J) Carriage of ECDIS

ECDIS (Electronic Chart Display & Navigation System) is a shipborne navigational equipment, which is regarded as an equivalent to paper charts as per SOLAS regulation V/27 and regulation V/19.2.1.4.

ECDIS has been, to date, an optional equipment.

At the 54th Session of the IMO NAV Sub-Committee, however, it was proposed that **SOLAS Regulation V/19 be amended to make ECDIS mandatory for new ships in 2012 (passenger ships and oil tankers) or 2013/2014 (other ships)**. Existing ships will be required to retrofit the system.

While a number of concerns were raised at MSC 85 by delegations as to the availability of the Electronic Navigation Chart (ENC), the cost necessary for purchasing ENC and relevant updates as well as the possible duplication of equipment, MSC 85 approved the draft amendments to SOLAS Regulation V/19 for adoption at MSC 86 in May 2009.

The application of ECDIS for ships engaged on international voyages will be as follows:

Type of Ship	Size (of or over)	New Ships (date keel layed)	Existing ships
Passenger Ships	500 GT	1 July 2012	Not later than the 1 st renewal survey on or after 1 July 2014
Oil Tankers	3,000 GT	1 July 2012	Not later than 1 st SE survey on or after 1 July 2015
Others	50,000GT	1 July 2013	Not later than 1 st SE survey on or after 1 July 2016
	20,000GT	1 July 2013	Not later than 1 st SE survey on or after 1 July 2017
	10,000GT	1 July 2013	Not later than 1 st SE survey on or after 1 July 2018
	3,000GT	1 July 2014	No retrofitting requirements to existing ships less than 10,000 GT

Implications

- As **ECDIS will be required on existing ships at the first survey date specified**, owners will be required to make retrofitting arrangements. As such, owners will be encouraged to take an opportunity to make arrangements at dry-docking if there is such an opportunity prior to the first survey date mentioned in the draft.
- Owners are to ensure the supply of the Electronic Navigational Chart (ENC) provided by a Hydrographic Authority or its agents for the intended voyages.
- Ship managers are to ensure that appropriate training and familiarisation will be incorporated into the company's Safety Management Systems (SMS) for

use of ECDIS in accordance with the International Safety Management (ISM) Code – deck offices must be fully familiar with the operation of ECDIS prior to the first voyage after the installation of ECDIS.

- Due attention will also have to be paid to the SN Circular **SN.1/Circ. 276** for the Guidance on transitioning from paper charts to ECDIS navigation (see attached as **Annex 10.2**).

The Committee noted that:

- Transition from paper charts to ECDIS will require careful consideration and familiarisation training of seafarers aboard.
- When retrofitting ECDIS onto an existing ship, due consideration should be made of available space on the navigational bridge.
- Fitting ECDIS and making the system fully operational may take a few hours after installation in order to ensure the ENC are fully updated.
- The exemption clause is provided for ships which are scheduled to be taken out of service within two years after the implementation date for existing ships given in the draft table.

Furthermore, flag administrations and their recognised organisations will have to prepare relevant survey guidelines, which will include appropriate back-up arrangements and the location of ECDIS in case of retrofitting. ISM auditors will also have to be made aware of the new requirements and the need for companies to introduce the corresponding training and familiarization.

ASF members that have concerns with regard to this issue were requested to raise them directly with their flag state.

K) Definition of Bulk Carrier

MSC 85 considered and approved the report of the Intersessional Working Group on Interpretation of the Definition of Bulk Carrier. The Committee further considered the draft MSC resolution concerning the clarification of the term “bulk carrier” and guidance for application of the SOLAS regulations developed by the group.

It was noted, however, that:

1. The provisions of the resolution cover new ships only;

2. The application of the provisions of the resolution were divided according to operational measures and structural requirements;
3. Regarding the exclusion of specific types of cargo carried on dedicated ship types, it was clarified that the risks associated with the transport, loading and unloading of such cargoes should be taken into account; and
4. Ships occasionally carrying dry cargoes in bulk as described in operative paragraphs 1.6 (double – side skin construction) and 1.7 (smaller ships of single – side skin construction) of the resolution are recommended to comply with the SOLAS requirements applicable to bulk carriers to the extent indicated in those paragraphs.

* * * * *

Annex 1



ASIAN SHIPOWNERS FORUM

Safe Navigation & Environment Committee (SNEC)

c/o Federation of ASEAN Shipowners' Associations (FASA)

59 Tras Street, Singapore 078998

Tel: (65) 62225238 Fax: (65) 62225527

email: fasa@pacific.net.sg

15 September 2008

PRESS RELEASE

1. The 15th Interim Meeting of the Asian Shipowners Forum (ASF) Safe Navigation & Environment Committee (SNEC) was held in Singapore on 15th September 2008. It was hosted by the Singapore Shipping Association (SSA).
2. The meeting was attended by 22 representatives of shipowner associations from China, Hong Kong, Japan, Korea, Chinese Taipei and ASEAN, as represented by the Federation of ASEAN Shipowners' Associations (FASA) which is composed of the shipowner associations of Indonesia, Malaysia, Philippines, Singapore, Thailand and Vietnam.
3. Mr. S.S. Teo, President of Singapore Shipping Association chaired the SNEC meeting on behalf of FASA.
4. During the meeting, the Committee considered and discussed various current issues concerning the safe navigation of ships and the protection of the marine environment. The following is a summary of the discussion on the following issues:

- **Piracy & Armed Robbery**

The Committee noted with concern the increased incidence of piracy and armed robbery around the world for the first three quarters of 2007. The African region with 91 attacks reported, now ranks as the most dangerous with close to 50% of the world's total number of attacks. The increase was notably significant in Somalia and Nigeria. To - date 13 reported hijackings off the Somalian coast had been reported. This is almost three times more than the five hijackings reported in the area for all of 2006.

It was further noted that the 59 attacks reported in the South East Asian region, although significantly reduced from previous year, still ranked the second highest accounting about 30% of the world's total. 45 of these reported attacks were petty robberies whilst the ships were berthed alongside or at anchor. 14 attacks, however, took place when the ships were underway.

The Committee was nevertheless pleased with the good efforts of the enforcement agencies of the three littoral states of Indonesia, Malaysia and Singapore in ensuring that ships transiting the Straits of Malacca and Singapore are safe from pirate attacks. The joint coordinated air and sea patrols mounted by

these three countries in the Straits presently are acknowledged as effective in combating piracy and armed robbery in the Straits. The Committee strongly urged the three littoral states to keep up with their good work. The Meeting also cautioned all ship masters to remain vigilant when transiting or trading to pirate prone areas. Ship masters whose vessels are not calling at Somalian ports are strongly advised to maintain a distance of at least 200 nautical miles from the Somalian coastline. In the unfortunate event that their vessels are being pursued by pirates, they should urgently enlist the assistance of the US and UK naval forces deployed in that area.

- **Enhancement of Safety, Security and Environment Protection in the Straits of Malacca and Singapore.**

The Committee applauded the efforts of the three littoral States of Indonesia, Malaysia and Singapore in successfully establishing the Co-operative Mechanism between the littoral States and user States on safety of navigation and environmental protection in the Straits of Malacca and Singapore at the IMO¹ Conference held in Singapore on 4 – 6 September 2007.

The Committee reaffirmed its support on the concept of the Co-operative Mechanism (CM), which comprises a Cooperation Forum, a projects' Coordination Committee and the voluntary Aids to Navigation Fund. The Meeting expressed confidence that the CM will help to promote dialogue and facilitate close collaboration among the littoral states, user states and other stakeholders. It was further envisaged that this CM will help to strengthen regional maritime cooperation in a transparent and inclusive manner within the confines of Article 43 of UNCLOS².

The Committee further expressed its readiness to participate and contribute its ideas, views or proposals in the Cooperation Forum.

- **Marine Air Emissions**

The Committee reaffirmed its stand that the global shipping industry, like any other industry, has an important role to play in actively encouraging and ensuring a clean marine and air environment. In this respect, the Committee has strongly supported the IMO in commissioning a comprehensive study by an informal cross government/industry scientific group of experts.

The Committee was concerned about recent media reports suggesting that carbon emissions by ships have been significantly underestimated and that shipping's impact on global warming may be substantially greater than aviation. These reports have been found to be grossly misleading and confusing.

The Committee wishes to highlight that shipping, which transports more than 90% of world trade, is by far the most carbon friendly form of commercial transportation. In terms of CO² emitted per tonne of goods carried per mile, shipping is at least 30 times more efficient than air transport, and about 5 times more efficient than trucks. (see www.shippingfacts.com). By transferring cargo from other modes of transport to ships, the Committee strongly believes that ships will actually help reduce the

¹ International Maritime Organisation

² United Nations Convention on the Law of the Sea

global transport related CO² emissions. The Committee pledged its support for continued research into increased efficiency in order to further reduce CO² emissions.

- **Ballast Water Management (BWM)**

The Committee noted with concern that a problem is confronting shipowners currently placing orders for many new ships, which under the terms of the Ballast Water Management (BWM) Convention will be required to be fitted with special treatment equipment to eliminate nuisance aquatic species, if constructed after 1 January 2009. The problem is that there is very limited equipment available that is officially type-approved to comply with the required IMO standards for treatment systems.

The Committee supports the proposed draft resolution submitted to the IMO General Assembly for adoption on 30 November 2007. The draft resolution would have the effect of suspending the January 2009 date for new equipment, and it further recommends that, for a limited period of time, States should not require ships calling at their ports to comply with the standard contained in regulation D-2 of the BWM Convention. The Committee still has concern about ships constructed between 1st January 2009 and 31st December 2010 which should be considered as 'existing ships' and hopes that a later IMO meeting can resolve the matter.

5. The members of the Committee expressed their appreciation to the TSA for hosting the 14th Interim Meeting of the SNEC in Bangkok, Thailand.

Editor's Note:

The Asian Shipowners Forum consists of 7 Shipowners' Associations in the Asian region, being those from the Federation of ASEAN Shipowners Associations (FASA), which are Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam, as well as Australia, China, Chinese Taipei, Hong Kong, Japan and Korea.

The aims of the ASF are to promote the interests of the Asian shipowning industries. Between annual ASF meetings, the ongoing work is carried out by five "S" Committees; the Shipping Economics Review Committee, the Seafarers Committee, the Ship Recycling Committee, the Safe Navigation and Environment Committee, and the Ship Insurance and Liability Committee. It has been estimated that ASF Owners and Managers control and operate around 50% of the world's cargo carrying fleet.

For further information on this Press Release, please contact Mr Daniel Tan, Secretary of the Committee at the address shown on the Letterhead.

DELEGATES' LIST

**Members of Asian Shipowners Forum
Attending
15th Interim Meeting of the Safe Navigation & Environment Committee**

Members:

- | | | |
|--------------------------------------|---|-------------|
| 1. Mr S S Teo (Chairman) | - | FASA - SSA |
| 2. Mr Daniel Tan (Secretary) | - | FASA |
| 3. Mr Wang Cheng (Secretary General) | - | ASF |
| 4. Mr Zhou Xiao Kang | - | CSA |
| 5. Mr Chen Zheng Jie | - | CSA |
| 6. Mr Augusto Jr Y Arreza | - | FASA – FSA |
| 7. Mr Bibiano O Reynoso IV | - | FASA – FSA |
| 8. Mr Bhudhi Halim | - | FASA - INSA |
| 9. Capt Intiaz Hussein | - | FASA – MASA |
| 10. Mr Zainuddin Tarmizzi | - | FASA - MASA |
| 11. Mr Goh Teik Poh | - | FASA – SSA |
| 12. Mr Patrick Phoon | - | FASA – SSA |
| 13. Capt Tey Yoh Huat | - | FASA – SSA |
| 14. Capt George Solomon | - | FASA - SSA |
| 15. Mr Bhumindr Harinsuit | - | FASA – TSA |
| 16. Mr Huynh Hong Vu | - | FASA - VSA |
| 17. Mr Nguyen Tien Dzung | - | FASA – VSA |
| 18. Mr Arthur Bowring | - | HKSOA |
| 19. Capt Osamu Handa | - | JSA |
| 20. Capt Masami Sasaki | - | JSA |
| 21. Mr H G Kang | - | KSA |
| 22. Mr Sun Yeong SO | - | KSA |
| 23. Mr Hae Yong, SON | - | KSA |
| 24. Capt Wang Chyong-Jou | - | NACS |



ASIAN SHIPOWNERS FORUM

Safe Navigation & Environment Committee (SNEC)

c/o Federation of ASEAN Shipowners' Associations (FASA)

59 Tras Street, Singapore 078998

Tel: (65) 62225238 Fax: (65) 62225527

email: fasa@pacific.net.sg

17 March 2009

PRESS RELEASE

1. The 16th Interim Meeting of the Asian Shipowners Forum (ASF) Safe Navigation & Environment Committee (SNEC) was held in Singapore on 17th March 2009. It was hosted by the Singapore Shipping Association (SSA).
2. The meeting was attended by 24 representatives of shipowner associations from China, Hong Kong, Japan, Korea, Chinese Taipei and ASEAN, as represented by the Federation of ASEAN Shipowners' Associations (FASA) which is composed of the shipowner associations of Indonesia, Malaysia, Philippines, Singapore, Thailand and Vietnam. Mr Wang Cheng, the ASF Secretary General also attended the meeting. A representative of the Indian National Shipowners Association attended the meeting as an observer for the first time.
3. Mr. S.S. Teo, President of Singapore Shipping Association chaired the SNEC meeting on behalf of FASA.
4. During the meeting, the Committee considered and discussed various current issues concerning the safe navigation of ships and the protection of the marine environment. The following is a summary of the discussion on some of the important issues:

- **Piracy & Armed Robbery**

The Committee noted with concern that the IMB reports an 11.4% increase in incidence of piracy and armed robbery around the world for 2008, with 293 attacks reported in 2008 as compared with 263 in 2007.

Africa continues to rank as the most dangerous region, with 189 attacks reported, accounting for 64.5% of the world's total number of attacks. In particular, the waters off Somalia and the Gulf of Aden remain as the world's most dangerous accounting for 58.7% or 111 of the attacks. Of these 111 attacks, 42 merchant vessels were hijacked along with their crew and cargo.

Piracy and Armed robbery in the Asian region, although slightly reduced from previous year, accounted for 96 or about 30% of the world's total. Of these 96 attacks, 66 were petty robberies whilst the ships were at anchor or berthed alongside.

In view of the deteriorating situation off the coast of Somalia and in the Gulf of Aden, the Committee encouraged its members to cooperate with and abide by the advisories and guidance issued by the Maritime Security Centre – Horn of Africa (MSCHOA)¹.

The Committee expressed its deep appreciation to those governments which are providing naval and air assets to patrol the waters off the coast of Somalia and in the Gulf of Aden, and to those other Governments which are considering similar actions.

In light of current economic conditions, the Committee expressed concern that there might be an accompanying surge in the number of piracy and armed robbery attacks around the world. In this respect, the Committee urged all governments and littoral states to strengthen and increase their naval and air surveillance to deter any potential threats of pirate attacks. The Committee also urged all ship masters to maintain full vigilance and to adhere to established best management practices to deter these pirate attacks.

- **Enhancement of Safety, Security and Environment Protection in the Straits of Malacca and Singapore.**

The Committee reaffirmed its support for the Cooperative Mechanism, which comprises a Cooperation Forum, a projects' Coordination Committee and the voluntary Aids to Navigation Fund.

The Committee welcomed contributions from various States and industry stakeholders to the Navigation Fund, particularly the recent contribution by the Japanese Shipowners' Association.

The Meeting further expressed its willingness and strong commitment to participate actively in the Cooperation Forum to enhance safety, security and environment protection in the Straits of Malacca and Singapore.

- **Safe Transport of Containers by Sea – Guidelines on Best Practices**

The Committee noted with concern the MAIB accident reports on the *Annabella* and *MSC Napoli*, and in this respect, welcomes the development of the "*Best Practices Guidelines for Safe Transport of Containers by Sea*" published by the International Chamber of Shipping and the World Shipping Council.

- **MARPOL Annex VI & Greenhouse Gases**

The Committee applauded the adoption of the revisions to MARPOL² Annex VI at the IMO Marine Environment Protection Committee (MEPC) 58th Session³ held last

¹ MSCHOA was set up by the European Union as part of a European Security and Defence Policy initiative to combat piracy in the Horn of Africa.

² International Convention for the Prevention of Pollution from Ships

³ MEPC 58th Session held on 6 – 10 Oct 2008

October. The main changes to MARPOL Annex VI would see a progressive reduction in emissions of sulphur oxide (SOx), nitrogen oxide (NOx) and particulate matter from ships.

The Committee also took note of developments relating to greenhouse gases (GHG) from ships arising from that meeting. In particular, the Committee discussed the development of an energy efficiency design index (EEDI) for new ships, an energy efficiency operational indicator (EEOI), a Ship Efficiency Management Plan (SEMP), which is a voluntary code of best practice for energy-efficient operations, and Market-Based Instruments (MBI).

With rising concern and greater awareness of global warming and its effects on climate change and rising sea levels, the Committee fully supports the IMO as the forum to discuss the reduction of GHG emissions from ships, in light of the IMO's and the industry's full commitment to reducing GHG emissions through realistic and pragmatic solutions.

5. The members of the Committee expressed their appreciation to the SSA for hosting the 16th Interim Meeting of the SNEC in Singapore.

Editor's Note:

The Asian Shipowners Forum consists of 7 Shipowners' Associations in the Asian region, being those from the Federation of ASEAN Shipowners Associations (FASA), which are Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam, as well as Australia, China, Chinese Taipei, Hong Kong, Japan and Korea.

The aims of the ASF are to promote the interests of the Asian shipowning industries. Between annual ASF meetings, the ongoing work is carried out by five "S" Committees; the Shipping Economics Review Committee, the Seafarers Committee, the Ship Recycling Committee, the Safe Navigation and Environment Committee, and the Ship Insurance and Liability Committee. It has been estimated that ASF Owners and Managers control and operate around 50% of the world's cargo carrying fleet.

For further information on this Press Release, please contact Mr. Daniel Tan, Secretary of the Committee at the address shown on the Letterhead.

Delegates List
(As at 16 March 2009)

Members of Asian Shipowners Forum
At the
16th Interim Meeting of the Safe Navigation & Environment Committee

Members:

- | | | |
|--------------------------------------|---|-------------|
| 1. Mr S S Teo (Chairman) | - | FASA - SSA |
| 2. Mr Daniel Tan (Secretary) | - | FASA |
| 3. Mr Wang Cheng (Secretary General) | - | ASF |
| 4. Mr Chen Zhenjie | - | CSA |
| 5. Mr Zhou Qiuke | - | CSA |
| 6. Mr Augusto Jr Y Arreza | - | FASA – FSA |
| 7. Mr Bibiano O Reynoso IV | - | FASA – FSA |
| 8. Mr Johnson W Sutjipto | - | FASA - INSA |
| 9. Mr Budhi Halim | - | FASA - INSA |
| 10. Capt Intiaz Hussein | - | FASA – MASA |
| 11. Capt George Solomon | - | FASA – SSA |
| 12. Capt Tey Yoh Huat | - | FASA – SSA |
| 13. Mr Mikkjal Poulsson | - | FASA – SSA |
| 14. Mr Goh Teik Poh | - | FASA-SSA |
| 15. Mr Patrick Phoon | - | FASA-SSA |
| 16. Mr Bhumindr Harinsuit | - | FASA – TSA |
| 17. Mr Huynh Hong Vu | - | FASA – VSA |
| 18. Mr Arthur Bowring | - | HKSOA |
| 19. Capt Osamu Handa | - | JSA |
| 20. Capt Masami Sasaki | - | JSA |
| 21. Mr Kang Hyun Kyu | - | KSA |
| 22. Mr Kuo Jer-min | - | NACS |
| 23. Mr Tai Shin-chuan | - | NACS |

Observer :

- | | | |
|--------------------|---|------|
| 1. Mr Haider Nawaz | - | INSA |
|--------------------|---|------|

Annex 2

18th ASF – TAINAN

Annex 2

Members of the *SAFE NAVIGATION & ENVIRONMENT COMMITTEE (SNEC)*

<u>Title</u>	<u>Company Position</u>	<u>Company</u>	<u>Association</u>
Chairman Mr. S. S. Teo	Managing Director	Pacific International Lines Ltd	FASA-SSA
Secretary Mr. Daniel Tan	Secretary General	Federation of ASEAN Shipowners'	FASA
Members:			
Capt Chen Zheng Jie	Director (Safety & Technology Superintendent Div)	China Ocean Shipping (Group) Company Transport Division	CSA
Mr. Zhao Ying Tao	General Manager	China Shipping (Group) Company	CSA
Mr. Bibiano O Reynoso IV	Chief Executive Officer	Aurora Shipping Inc.	FASA-FSA
Mr. Budhi Halim	President Director	PT. Indo Mega Maritim	FASA-INSA
Capt Leng Kong MJ	Director	PT Tresnamuda Sejati	FASA – INSA
Capt Bambang Sudarsono	Director	PT Bahtera Adhiguna (Persero)	FASA - INSA
Ir. Nordin Mat Yusoff	President	Malaysian Shipowners' Association	FASA-MASA
Capt. Intiaz Hussein	Executive Secretary	Malaysian Shipowners' Association	FASA-MASA
Mr. Patrick Phoon	Dy Managing Director	Evergreen Shipping (S) Pte Ltd	FASA-SSA
Mr. Bhumindr Harinsuit	Managing Director	Harinsuit Transport Co., Ltd	FASA-TSA
Mr. Huynh Hong Vu	CEO	Sea Transport & Chartering Corporation	FASA-VSA
Dr Bui Quoc Anh	CEO	Biendong Shipping Company	FASA-VSA
Mr. Phan Van Tai	Vice Director	Vietnam Maritime College Number 1	FASA-VSA
Mr. Peter Cremers	Chief Executive Officer	Anglo-Eastern Group	HKSOA
Mr. Hiroyuki Maekawa	President & CEO	Kawasaki Kisen Kaisha, Ltd	JSA
Mr. Jong-Seug Park	President	Korea Marine Transport Co. Ltd	KSA
Mr. Kyuho Whang	CEO & President	SK Shipping Co., Ltd	KSA
Capt. Chern Jinn Shyon	Exec Vice President	Evergreen Marine Corp. (Taiwan) Ltd	NACS

Annex 3

EXECUTIVE SUMMARY OF RECAAP'S ANNUAL REPORT (2008)

1. General

In 2008, a total of **96** incidents of piracy and armed robbery against ships were reported in Asia. Of these, 83 were actual incidents and 13 were attempted incidents.

Overall, there has been a decline in the number of incidents reported in 2008 compared to 2007 and 2006.

	2006	2007	2008
Actual	100	77	83
Attempted	35	23	13
Total	135	100	96

Table 1 – number of actual and attempted incidents (2006-2008)

2. ReCAAP Categories

The ReCAAP Information Sharing Centre (ISC) categorises all incidents into one of the following three categories based on each incident's overall significance:

Category	Significance of Incident
CAT 1	Very Significant
CAT 2	Moderately Significant
CAT 3	Less Significant

Table 2 – Significance of Incident by Category

Table 3 below shows the significance of incidents reported in 2008 compared to 2007 and 2006. Compared to 2007, there has been a slight increase in the number of CAT 2 incidents while the number of CAT 1 and CAT 3 incidents remained fairly consistent.

	2006	2007	2008
CAT 1 (Very Significant)	3	5	4
CAT 2 (Moderately Significant)	38	15	21
Cat 3 (Less Significant)	59	57	58
Total	94	77	83

Table 3 – Significance of actual incidents (2006-2008)

Annex 3

3. Status of Ships

Table 4 below shows the status of ships during actual and attempted incidents. Of the 96 incidents reported in 2008, 63 occurred while ships were berthed or anchored, while 33 occurred while ships were under way.

The general trend of incidents occurring mostly while ships were berthed or at anchor was observed throughout the four quarters of 2008.

ReCAAP ISC further notes that in 2008, more than 80% of the incidents involving ships at anchor/berth took place at ports and anchorages of Bangladesh, India, Indonesia and Vietnam, and that one third of incidents that were under way occurred in the Straits of Malacca and Singapore.

	4 th Quarter		3 rd Quarter		2 nd Quarter		1 st Quarter		2008	
	Berthed/ Anchored	Steaming	Berthed/ Anchored	Steaming	Berthed/ Anchored	Steaming	Berthed/ Anchored	Steaming	Berthed/ Anchored	Steaming
South Asia										
• Bangladesh	3		1		5		3		12	
• India			3		2		5	1	10	1
South-East Asia										
• Indonesia	3	1	9		3	5	2	2	17	8
• Malaysia	6	1	1	1		2	1		8	4
• Vietnam	4		5		2		1		12	
• South China Sea		1		2		2		1		6
• Straits of Malacca & Singapore		4		2		2		2		10
• Philippines	1	1	2		1	1		2	4	4
TOTAL	17	8	21	5	13	12	12	8	63	33
	25		26		25		20		96	

Table 4 – Status of ships during actual and attempted incidents (2008)

Annex 3

4. Type of Ships

Table 5 shows the type of ships involved in actual and attempted incidents in 2008.

In the last quarter of 2008, tankers were targeted more frequently compared to other types of ships, with tankers accounting for 8 of the 25 reported incidents.

The ReCAAP ISC further noted that tankers are more susceptible to attack than other types of ships, with 32 of the 96 incidents reported involving tankers.

	4 th Quarter	3 rd Quarter	2 nd quarter	1 st Quarter	2008
General Cargo	3	2	3	4	12
Bulk Carrier	4	5	1	4	14
Container Ship	5	5	7	2	19
Chemical Tanker	2	4	4	4	14
Oil Tanker			1	2	3
Product Tanker	3	1	1		5
Tug/Barge/Boat	4	2	3	2	11
Fishing Boat/Trawler			1		1
Vehicle Carrier		1			1
LPG Tanker	1	3	1		5
Tanker (Unspecified)	2	2	1		5
Diving Support Vessel	1				1
VLCC				1	1
Passenger Ship			1	1	2
Research Support Vessel			1		1
Supply Vessel		1			1
TOTAL	25	26	25	20	96

Table 5 – Types of ships involved in actual and attempted incidents (2008)

Annex 3

5. Number and Location of Reported Incidents

Table 6 shows the number and location of ships involved in actual and attempted incidents in 2008.

Overall, there has been a decline in the number of incidents reported compared to 2007 and 2006. The decline was most apparent in the ports and anchorages of Indonesia, with a total of 25 incidents reported in 2008, compared to 40 incidents in 2007 and 49 incidents in 2006.

ReCAAP ISC further notes, however, that there has been an increase in the number of incidents in the Straits of Malacca & Singapore, off Pulau Tioman, south of Tanjung Ayam, Johor, Malaysia and the ports and anchorages of Vietnam.

	2008		2007		2006	
	Actual	Attempted	Actual	Attempted	Actual	Attempted
East Asia						
• China					1	
South Asia						
• Bangladesh	10	2	12	1	30	14
• India	10	1	8		3	
• Arabian Sea			1	3		1
• Bay of Bengal			1			
• Sri Lanka				1	1	
South-East Asia						
• Indonesia	24	1	33	7	39	10
• Malaysia	12		7	1	10	1
• Vietnam	11	1	5		3	
• South China Sea	4	2	1	5	3	7
• Straits of Malacca & Singapore	6	4	3	4	6	
• Philippines	6	2	5	1	3	2
• Thailand			1		1	
TOTAL	83	13	77	23	100	35
	96		100		135	

Table 6 – Total number of incidents reported (2006-2008)

6. General Observations

- Overall, there has been a decline in the number of incidents reported in 2008 compared to 2007 and 2006.
- There has been a slight increase in the number of CAT 2 incidents while the number of CAT 1 and CAT 3 incidents remained fairly consistent.
- The incidents in 2008 were generally less violent, with incidents involving assault and taking members of the crew hostage occurring less frequently in 2008 compared to previous years.
- Although there has been an increase in the overall number of reported incidents in the Indian sub-continent, there has been a decline in the significance level of these incidents.
- There has been an improvement in the situation in the port and anchorages of Chittagong, Bangladesh.
- There has been a significant improvement in the situation in the area around Tanjung Priok and Jakarta in 2008, with a reduction in the number of incidents being accompanied by a corresponding reduction in the significance level.
- There has, however, been an increase in the activities off Tanjung Ayam, Johor, and in the vicinity of the Pulau Tioman area. In response, the Malaysian authorities have increased their presence and enhanced surveillance in the region.

In addition, at the 3rd Annual Meeting of the ReCAAP Governing Council held on 26-27 February 2009, it was noted that, **in light of the current economic conditions, there were concerns that there might be an accompanying surge in the number of attempts at piracy and armed robbery against ships in the region.**

To that effect, the ReCAAP Governing Council strongly encouraged all industry and government stakeholders to maintain their vigilance and to continue their good work at combating piracy and armed robbery in Asia.

Annex 4

Annex 4

Analysis of International Maritime Bureau's Piracy and Armed Robbery Report (Jan 1 – Dec 31 2008)

1. Worldwide Attack Status

Based on IMB's Annual Report on Piracy & Armed Robbery Against Ships for 2008, reported attacks **worldwide** had increased by 11.41% as compared to 2007.

The number of actual and attempted attacks whilst ships were steaming on high seas has increased by 52.25 %

The number of attacks whilst ships were at anchor or at berth, however, has **decreased** by 15.17%.

Furthermore, the number of ships hijacked has increased by 172.22%

	2007	2008	Trend (%. 2007-2008)
Worldwide reported attacks	263	293	↑11.41
No. of actual attacks (including hijacks)	187	200	↑6.95
No. of attempted attacks	76	93	↑22.37
No. of attacks (actual & Attempted) whilst ships were underway at high seas	111	169*	↑52.25
No. of attacks (actual & Attempted) while ships were at berth or at anchor	145	123*	↓15.17
No. of vessels boarded	169	151	↓10.65
No. of hijacks	18	49	↑172.22

*: In 2007, 7 reported incidents did not specify if the vessel was anchored, berthed or underway. For the same period in 2008, there was 1 unspecified incident.

Annex 4

2. Crew Status

In 2008, the number of crew taken hostage increased by **237.79%**.

The number of crew kidnapped, however, had decreased by 33.33%. The number of crew threatened/assaulted/injured had also decreased by 31.43%.

The severity of incidents has increased, however, with 11 crew killed and 21 missing for 2008 compared to 5 crew killed and 3 missing in 2007.

	2007	2008	Trend (%)
No. of crew taken hostage	292	889	↑ 204.45
No of crew kidnapped	63	42	↓ 33.33
No. of crew threatened / assaulted / injured	70	48	↓ 31.43
No. of crew killed	5	11	↑ 120
No of crew missing	3	21	↑ 600
Total	433	1011	↑ 133.49

Of the 889 crew taken hostage, 815 were on ships taken in the Gulf of Aden and Somalia.

3. Piracy and Armed Robbery incidents in the World, Jan – December (2004-2008)

The table below provides a distribution of the reported actual and attempted piracy incidents in various regions of the world.

Year	Africa	Americas	Far East	Indian Sub-Continent	South-East Asia	Rest of the World	Total
2004	73	45	11	32	162	6	329
2005	80	25	10	36	112	13	276
2006	61	29	2	53	86	8	239
2007	120	21	5	30	75	12	263
2008	189	14	0	23	65	2	293

The number of attacks in South-East Asia continues to show a steady downward trend, accounting for 22.18% of the world's total, compared to 28.52% of the global total in 2007.

Annex 4

In contrast, the number of attacks in Africa continued to show an upward trend, accounting for 64.51% of the world's total in 2008, compared to 45.63% in 2007.

4. Piracy and Armed Robbery incidents in each region as a percentage of World Totals, Jan - December 2008

As a percentage of the world's total number of piracy and armed robbery incidents, the African continent accounted for 64.51%, whereas South East Asia accounted for 22.18%.

	No of Piracy and Armed robbery incidents for Jan – September 2008	Percentage of World Total
Africa	189	64.51
Americas	14	4.78
Far East	0	-
Indian Sub-Continent	23	7.85
South East Asia	65	22.18
Rest of the World	2	0.68
World Total	293	100%

5. No of Actual and Attempted Pirate Attacks in Jan – December 2008 by Region

The table below provides a breakdown of the actual and attempted pirate attacks that occurred in 2008.

	Actual Attacks				Attempted Attacks	
	Boarded	Hijacked	Detained	Missing	Fired Upon	Attempted
Africa	63	45			45	36
Americas	13					1
Far East						
Indian Sub-Continent	21					2
South East Asia	52	4			1	8
Rest of the World	2					
World Total	151	49			46	47

Annex 4

6. Location and Modus Operandi of Actual Attacks in Jan 1 – December 30 2008

An analysis of the 200 actual attacks reveals that

- **112** incidents took place whilst the ships were berthed or anchored in port waters;
- **87** attacks took place whilst the ships were steaming.

	Berthed	Anchored	Steaming	Total
Africa	11	36	61	108
Americas		11	1	13*
Far East				
Indian Sub-Continent	2	17	2	21
South East Asia	4	29	23	56
Rest of the World		2		2
World Total	17	95	87	200*

*1 incident in the Americas did not specify if the ship was anchored, berthed or underway.

Of the 87 attacks, 61 attacks took place in Africa –

- 34 in the Gulf of Aden
- 8 in Nigeria
- 10 in Somalia proper
- 7 in Tanzania
- 1 each in Cameroon and the Democratic Republic of Congo.

7. Location and Modus Operandi of Attempted Attacks in Jan 1 – December 30 2008

	Berthed	Anchored	Steaming	Total
Africa	2	5	74	81
Americas		1		1
Indian Sub-Continent		1	1	2
South East Asia		2	7	9
World Total	2	9	82	93

A further analysis of the 93 attempted attacks reveals that **11** incidents had occurred whilst the ships were berthed or anchored in port waters.

By contrast, **82** attempted attacks had taken place whilst the ships were steaming.

Of the 82 attacks, 74 took place in Africa –

- 58 in the Gulf of Aden

Annex 4

- 6 in Nigeria
- 9 in Somalia proper
- 1 incident off Kenya

8. Ship Hijacks

According to the IMB reports, there were **49** hijack incidents during the reporting period from 1 Jan to 31 December 2008.

Of the 49 incidents, 42 vessels were hijacked by Somali pirates:

- 32 in the Gulf of Aden
- 10 in Somalia proper.

Annex 5

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 routeing 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 naval 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)